

LONGVIEW FIBRE SEATTLE
SO3-000206

Industrial Stormwater General Permit

Coverage Date: November 18, 2000

Expiration Date: November 18, 2005

Facility Location

Address: 5901 E MARGINAL WAY S
SEATTLE

Acres: 3.3

***WRIA: 08 - CEDAR-SAMMAMISH**

County: KING COUNTY

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****Primary SIC 2653 - CORRUGATED AND SOLID FIBER BOXES**

*WRIA, Water Resource Inventory Area

**SIC, Standard Industrial Code

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S1.D.	Permit Application for Modification of Coverage	As necessary	
S4.	Discharge Monitoring Report (DMR)	Quarterly	August 14, 2003
S4.C	Response to Exceedance of Benchmark Values	As necessary, with DMR	Submit as necessary with DMR
S5.E	Noncompliance Notification	As necessary	
S8.A.	Reporting Bypasses	As necessary	
G14.	Notice of Permit Transfer	As necessary	
G15.	Application for Permit Renewal	1/permit cycle	March 24, 2007

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LFC001804

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. Who is Required to Have Coverage Under the Industrial Stormwater General Permit?

This is a statewide permit for facilities conducting industrial activities. Most industrial facilities that discharge stormwater to a surface waterbody or to a municipal storm sewer system require permit coverage. Coverage is required for private entities, state, and local government facilities. Existing and new facilities are required to have coverage. For a complete list of industrial categories identified for coverage, see below or Appendix 1-Section C of this permit. Facilities that do not find their SIC code listed should also read Special Condition S12, Determination of Primary Activity. Ecology can also require permit coverage of any facility on a case-by-case basis in order to protect waters of the state.

Except as provided for in special conditions S1.B. and S1.C., permit coverage is required for the following industrial activities if there is a stormwater discharge to a surface waterbody or a storm sewer system that discharges to a surface waterbody:

1. Facilities listed at 40 CFR Subpart 122.26(b)(14)(i-xi, excluding x), Stormwater Discharges; see Appendix #1-Section C, categories 1-9 and 11 for a listing of these facilities. Category 10, construction activities, is not included in this general permit.
2. Previously exempt facilities owned or operated by municipalities must obtain coverage by March 10, 2003. These facilities were not required to obtain coverage under the previous industrial stormwater general permit (special condition S2.F.1.) consistent with the Intermodal Surface Transportation and Efficiency Act (ISTEA) exemption. If they meet the criteria for coverage identified in this special condition, they now require coverage.
3. All facilities that are classified as Category 11, Light Industry, that have a discharge to surface water or to storm sewer that discharges to surface water, must apply for coverage or submit a certificate of "no exposure". This includes those light industry facilities that were not required to apply for coverage under previous releases of this permit because their industrial activities were completely under cover.
4. Facilities which are included in a group application [as described at 40 CFR Subpart 122.26(c)(2)] to USEPA, unless otherwise excluded under this special condition.
5. Any facility that has an existing NPDES discharge permit which does not address all stormwater discharges associated with industrial activity if required by 40 CFR Subpart 122.26(b)(14) to have a stormwater NPDES permit.
6. Any inactive industrial facility which is listed under 40 CFR Subpart 122.26(b)(14), and where significant materials remain on site and are exposed to stormwater.
7. Facilities listed in a. to c. below that have stormwater discharges subject to effluent limitation guidelines:

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- a. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A.
- b. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart B.
- c. Stormwater discharge from coal storage piles.

B. When is Coverage under the Industrial Stormwater General Permit Not Required?

The types of facilities listed below are not required to obtain coverage. However, coverage is not categorically prohibited and these facilities may request coverage if applicable.

1. Industrial facilities that submit an application and qualify for a Conditional "No Exposure" Certificate. (See Special Condition S6. Conditional "No Exposure" Certificate for qualification requirements.)
2. Industrial facilities which discharge their stormwater only to a municipal combined sewer or sanitary sewer. Discharge of stormwater to sanitary or combined sewers shall only occur as authorized by the municipal authority responsible for that sewer.
3. Industrial facilities that discharge all of their stormwater to the ground and have no point source discharge to surface water or a municipal storm sewer unless determined to be a significant contributor of pollutants to ground water. Discharge to ground includes infiltration basins, dry wells, drain fields, and grassy swales. Facilities that discharge to a drywell, drainfield, or an infiltration system that uses perforated pipe to discharge to the subsurface must comply with the Underground Injection Control Program (UIC) regulations, 173-218 WAC.
4. Office buildings and/or administrative parking lots from which stormwater discharges are not commingled with stormwater discharges from areas associated with industrial activity unless determined to be a significant contributor of pollutants to waters of the state.
5. In accordance with 40 CFR 122.3(d), any part of a facility with a discharge which is in compliance with the instructions of an On-Scene-Coordinator pursuant to 40 CFR part 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) (Pollution by Oil and Hazardous Substances).
6. Any part of a facility with a stormwater discharge resulting from remedial action conducted by the USEPA or Ecology or a potentially liable/responsible person under an order, agreed order or consent decree issued under the Comprehensive Environmental Response, Compensation, and Liability Act. These facilities must still comply with the substantive requirements in this general permit determined by Ecology to be applicable, relevant and appropriate requirements under these laws.
7. Any land application site used for the beneficial use of industrial or municipal wastewater for agricultural activities at agronomic rates or for landscaping purposes.
8. Any farmland, domestic garden, or land used for sludge management where domestic sewage sludge (biosolids) is beneficially reused (nutrient builder or soil conditioner) and which is not physically located in the confines of domestic sewage

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treatment works, or areas that are in compliance with Section 405 (Disposal of Sewage Sludge) of the CWA.

9. Any inactive coal mining operation if the performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Act (SMCRA) authority has been released.
10. Any inactive noncoal mining operation if released from applicable state or federal reclamation requirements after December 17, 1990. Any inactive noncoal mining operation which does not have a discharge of stormwater that comes in contact with any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of the facility.
11. Inactive mining, inactive oil and gas operations or inactive landfills where neither an owner nor an operator can be identified.

C. What Facilities are EXCLUDED from Coverage?

Ecology will not consider coverage for the following facilities or activities:

1. Except as identified in Special Condition S1.A.7., any part of a facility with a stormwater discharge subject to an Effluent Limitations Guideline, Toxic Pollutant Effluent Standard, or New Source Performance Standard addressing stormwater or a combination of stormwater and process water, (See Section D of Appendix #1). These facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.
2. Nonpoint source silvicultural activities with natural runoff as excluded in 40 CFR Subpart 122.27. This includes silvicultural nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance.
3. Facilities that are federally owned or operated or are on Tribal land, or facilities that discharge stormwater to receiving waters subject to water quality standards of Indian Tribes, including portions of the Puyallup River and other waters on trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians Reservation.
4. Any facility authorized to discharge stormwater under an existing NPDES individual or other general permit.
5. Construction activities as identified by 40 CFR Subpart 122.26(b)(14)(x) and Subpart 122.26(b)(15).

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6. Facilities that discharge to a waterbody with a control plan¹ unless this general permit is adequate to provide the level of protection required by the control plan. Excluded facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.
7. Facilities that discharge to a waterbody listed pursuant to Section 303(d) of the Clean Water Act unless the Permittee can meet the requirements of special condition S3.E. Excluded facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.

D. Modification of Permit Coverage

Any facility with coverage under this general permit that intends to implement a significant process change, request an alternate sampling protocol, request a waiver for stormwater treatment, or add or modify a mixing zone must request a modification of coverage by submitting a revised application for coverage, clearly indicating the proposed change in accordance with the requirements of S2.B.

A significant process change is any modification of the facility that would:

- add different pollutants of a significant amount to the discharge, increase the pollutants in the stormwater discharge by a significant amount, or,
- add a new industrial activity (SIC) that was not previously covered; or
- add additional impervious surface or acreage such that stormwater discharge would be increased by 25% or more.

E. Coverage for Significant Contributors of Pollutants

This permit may also cover any facility discharging stormwater which Ecology determines to be a significant contributor of pollutants to waters of the state of Washington or may reasonably be expected to cause a violation of a water quality standard. Coverage may be required of facilities that are significant contributors of pollutants to ground water even though no discharge to surface water or storm sewer system exists. These determinations are made on a case-by-case basis, are actions subject to appeal as described by RCW 43.21B.230, and consider the following factors:

1. Potential of discharge to cause a violation of surface or ground water quality or sediment management standards,
2. Sensitivity of the receiving waterbody, and
3. Applicability of industrial stormwater general permit to reduce potential to pollute.

F. Coverage for Discharges to Ground Water

Stormwater discharges to ground will be regulated as part of permit coverage for all facilities under this permit. Permittee must also comply with any applicable

¹ Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other limitations that regulate or set limits on discharges to a specific waterbody or groundwater recharge area.

requirements for discharges to ground under the Underground Injection Control Program (UIC) regulations, 173-218 WAC.

S2. COVERAGE REQUIREMENTS

A. Who Is the Permittee?

The Permittee must have legal authority to manage the facility under the terms and conditions of this permit, including the authority to make capital improvements as necessary. The Permittee must have day-to-day operational control to assure compliance. The owner is the Permittee if they are also the operator of the industrial facility. If the owner and the operator (or tenant) of an industrial facility are not the same, the operator is typically the Permittee and the owner may choose to be a co-Permittee.

B. How Do I Obtain Coverage?

1. Facilities Currently Under Permit

Coverage will continue for all facilities with existing coverage under the industrial stormwater general permit (effective date November 18, 2000) unless otherwise notified by Ecology. This permit revokes and replaces the previous permit on the effective date of this permit. However, existing facilities must submit to Ecology by November 30, 2002, a completed identification of receiving waterbody and declaration of mixing zone form (form provided by Ecology).

2. Facilities with Applications Currently Pending

Applications for coverage under the previous permit that were received before the effective date of this permit but processing was incomplete will be processed for coverage under the reissued permit. Those with pending applications are not required to submit a new application. However, additional information will be required to complete processing including the identification of receiving waterbody and declaration of mixing zone form provided by Ecology and a copy of the stormwater pollution prevention plan (SWPPP).

3. New Facilities or Existing Facilities Not Under Permit Coverage

New facilities and existing facilities that do not already have permit coverage must submit Ecology's Industrial Stormwater General Permit Application for Coverage to obtain coverage. Unless not required under S1.B. or excluded under S1.C., all facilities that require a permit for the discharge of stormwater under S1.A. but are not already permitted for that discharge must submit an application for coverage to Ecology as follows:

a. Municipal Previously Exempt Facilities (ISTEA)

Those municipal facilities identified in S1.A.2. must submit an application for coverage:

- i. Facilities that existed before the effective date of this permit, September 20, 2002, shall submit an application for coverage by January 31, 2003. Public notice is not required.

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- ii. Facilities that begin operation on or after the effective date of this permit shall submit an application for coverage by January 31, 2003 or at least 38 days before the commencement of the industrial activity. They shall comply with the requirements for new facilities (S2.B.3.c.)

b. Existing Facilities

Existing facilities are those facilities that were in operation before the effective date of this permit, September 20, 2002. Facilities that are in operation and identified for coverage as "significant contributors of pollutants", S1.E. are considered existing facilities. Facilities that had coverage but lost it because they failed to renew coverage as required by this permit, lost coverage as a result of failure to pay permit fees or other enforcement action, or who terminated coverage and then reapply for coverage will be considered "new" facilities. Existing facilities required under special condition S1.A. to have coverage but which failed to obtain coverage may be subject to enforcement action for discharging without a permit and shall complete public notice requirements for application for coverage. Existing facilities shall submit an application for coverage to Ecology within 30 days of notification by Ecology that coverage is required.

c. New Facilities

- i. All new industrial facilities must apply for coverage at least 38 days before the commencement of the industrial activity.
- ii. All new industrial facilities must have their stormwater pollution prevention plan completed and implemented before the commencement of the industrial activity. Completed means all SWPPP components that can be completed before operation are included in the SWPPP. Implemented applies to all BMPs identified in the SWPPP including those that require capital investment. The SWPPP must be submitted to Ecology with the application for coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
- iii. The applicant must comply with the State Environmental Policy Act (SEPA) before receiving permit coverage.
- iv. The applicant must complete public notice requirements before receiving permit coverage.

4. Facilities with Significant Process Change

Any facility anticipating a significant process change as identified in S1.D., Modification of Permit Coverage, must submit a completed application for coverage, marked as modification of coverage, as follows:

- a. The facility must apply for modification of coverage at least 38 days before implementing the significant process change.
- b. The applicant must complete public notice requirements before receiving modification of permit coverage.

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- c. The facility must have their stormwater pollution prevention plan updated and implemented to reflect the change before commencement of the significant process change. The updated SWPPP must be submitted to Ecology with the application for coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
- d. The applicant must comply with the State Environmental Policy Act (SEPA) as applicable to the proposed significant process change.

5. Add or Modify Mixing Zone

Any Permittee submitting a request to add or modify a mixing zone must submit a completed application for coverage, marked as modification of coverage, as follows:

- a. The Permittee must apply for modification of coverage at least 38 days before a changed mixing zone can become effective.
- b. The Permittee must complete public notice requirements before receiving modification of permit coverage.
- c. Modification of coverage that includes a request for a mixing zone will not be effective until approved by Ecology.

6. Modify Sampling Protocol

Any Permittee submitting a request to modify the permit sampling protocol for their facility must submit a completed application for coverage, marked as modification of coverage.

- a. The Permittee must submit a request detailing the proposed changes in sampling protocol with documentation on why the proposed changes are appropriate.
- b. The Permittee must complete the public notice requirements.
- c. The proposed changes will not become effective unless approved by Ecology.

7. Light Industry Previously Exempt

Any category 11 facility, light industry (see Appendix 1), that was not required to apply for coverage under the "no exposure" provision in the previous permit must submit an application for coverage or an application for "no exposure" within three (3) months of the effective date of this permit.

C. Is There a Compliance Schedule for Developing and Implementing the SWPPP?

No compliance schedule is authorized under this permit for developing and implementing the stormwater pollution prevention plan except as identified below:

- 1. Permittees have until March 1, 2003 to complete the stormwater monitoring plan required under stormwater pollution prevention plan, S9.B.2.
- 2. For ISTEA existing facilities (S2.B.3.a.i.)
 - a. The Stormwater Pollution Prevention Plan (SWPPP) must be completed and submitted to Ecology by March 10, 2003. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.

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- b. Implementation of non-capital best management practices (BMPs) must be completed by May 10, 2003. BMPs that require a capital investment must be completed by November 10, 2003.
- 3. For existing facilities not previously permitted (S2.B.3.b.)
 - a. The Stormwater Pollution Prevention Plan (SWPPP) must be completed and submitted to Ecology within 30 days of receiving coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
 - b. Implementation of non-capital best management practices (BMPs) must be completed within 90 days of receiving coverage. BMPs that require a capital investment must be implemented within nine (9) months of receiving coverage.

D. What are Public Notice Requirements?

Public notice must be published once each week for two consecutive weeks (twice), at least seven days apart, in a newspaper of general circulation within the county in which the discharge is proposed. The public has up to 30 days after the second publication to comment on the proposal. At a minimum, public notice must include the following:

- 1. A statement that the applicant is seeking coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Industrial Activities;
- 2. The name, address and location of the facility where the proposed discharge would occur;
- 3. The name and address of the applicant if different from facility in 2. above;
- 4. A description of the type of business, description of areas from which a stormwater discharge will occur including acreage, and when industrial activities will begin;
- 5. A brief description of stormwater management activities that provide source control and treatment;
- 6. Whether application is for a new permit coverage or modification of existing permit coverage;
- 7. Identification of the waters that will receive the stormwater discharge and if a mixing zone is included;
- 8. Whether the facility has any other wastewater discharge permit; and
- 9. The statement: "Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the department's action on this application may notify the Department of Ecology in writing within 30 days of the last date of publication of this notice. Comments shall be submitted to: Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696."

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E. When Does Coverage Begin?

Ecology intends to notify applicants by mail of their status concerning coverage under this permit within 30 days of completion of all application requirements including compliance with SEPA and public notice requirements.

1. Except for an application that includes a mixing zone or a modification of coverage to change a Permittee's sampling protocol, if the applicant does not receive notification from Ecology, coverage/modification of coverage under this permit automatically commences on the later of the following:
 - a. The thirty-first (31st) day following receipt by Ecology of a completed application for coverage;
 - b. The thirty-first (31st) day following the end of a thirty (30) day public comment period; or
 - c. The effective date of the general permit.
2. Additional time may be required to review the application:
 - if the application is incomplete, or
 - if Ecology requires additional site-specific information, or
 - if there is a request for a public hearing, or
 - if public comments are filed, or
 - when more information is necessary to determine whether coverage under the general permit is appropriate for a facility.

When additional time is required:

- a. Ecology will notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.
- b. Ecology will submit the final decision to the applicant in writing. If the application for coverage/modification of coverage is approved, coverage begins the thirty-first (31st) day following approval.
3. The terms and conditions of this general permit, as they apply to an individual discharger, are appealable, within thirty days of the effective date of coverage or modification of coverage of that discharger. For those dischargers under permit on the effective date of this permit, the thirty day appeal period begins with the effective date of the general permit. The procedures and requirements for the appeal process are contained in RCW 43.21B.310.
4. If the applicant has an individual permit but applies for coverage under the general permit, the individual permit will remain in effect until terminated in writing by Ecology. However, an expired individual permit, pursuant to WAC 173-220-180(5), will terminate upon coverage by the general permit.

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F. Does Coverage Preempt Local Government Requirements?

The Permittee must comply with local government requirements. Where the permit and local government requirements overlap, the most restrictive requirements shall be followed.

Facilities with stormwater discharge to a storm sewer operated by any of the following municipalities shall send a copy of their application for coverage to the appropriate municipality:

Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County.

G. Do I have to Reapply for Coverage When This Permit Expires?

Facilities that have coverage under the industrial stormwater general permit must reapply for coverage by submitting the Application for Renewal of Coverage at least 180 days before the specified expiration date of this permit.

S3. DISCHARGE LIMITATIONS

A. Authorized Stormwater and Non-Stormwater Discharges

Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge stormwater and conditionally approved non-stormwater discharges to waters of the state. All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

B. Discharges Prohibited

Unless authorized by a separate NPDES or state waste discharge permit, the following discharges are prohibited.

1. The discharge of process wastewater is not authorized. *Process wastewater* means any water which, during manufacturing or processing comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Stormwater that commingles with process water becomes process water. This definition of process wastewater does not include non-stormwater discharges conditionally approved under S.3.C.
2. Illicit discharges are not authorized by this permit, nor does it relieve entities responsible for illicit discharges, including spills of oil or hazardous substances, from obligations under state and federal laws and regulations pertaining to those discharges. Conditionally approved non-stormwater discharges in compliance with S.3.C are not illicit discharges.

C. Conditionally Approved Non-Stormwater Discharges

The categories and sources of non-stormwater discharges identified in condition S.3.C.1 below are not considered illicit discharges and are conditionally approved, provided the discharge is otherwise

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consistent with the terms and conditions of this permit, AND the non-stormwater discharges are in compliance with the non-stormwater conditions in S.3.C.2.

1. Conditionally approved non-stormwater discharges include:
 - a. Discharges from fire fighting activities;
 - b. Fire protection system flushing, testing, and maintenance;
 - c. Discharges of potable water including water line flushing, provided that water line flushing must be de-chlorinated prior to discharge;
 - d. Uncontaminated air conditioning or compressor condensate;
 - e. Irrigation drainage;
 - f. Uncontaminated ground water or spring water;
 - g. Discharges associated with dewatering of foundations, footing drains, or utility vaults where flows are not contaminated with process materials such as solvents;
 - h. Incidental windblown mist from cooling towers that collects on rooftops or areas adjacent to the cooling tower. This does not include intentional discharges from cooling towers such as piped cooling tower blow down or drains.
2. Non-stormwater discharges identified in Section S.3.C.1 above are conditionally approved provided the Stormwater Pollution Prevention Plan required in S.9 includes the following for each non-stormwater discharge, and the non-stormwater discharge is in compliance with all applicable discharge limitations in S.3 including compliance with state water quality standards. The SWPPP shall:
 - a. Identify each non-stormwater source including the location of where it is likely to be discharged into the stormwater collection system;
 - b. Characterize the non-stormwater source, including estimated flows or flow volume, and likely pollutants which may be present;
 - c. Non-stormwater discharges which include mist from cooling towers must be evaluated to determine the potential for the discharge to be contaminated by chemicals used or which may be present in the cooling tower mist;
 - d. Evaluate and implement available and reasonable source control best management practices to reduce or eliminate the discharge;
 - e. Evaluate, and if necessary to comply with state water quality standards, design and implement appropriate best

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management practices for each non-stormwater source derived from information gathered in items b through c above to control pollutants and or flow volumes.

- f. Discharges associated with fire fighting activities are exempt from the provisions of S.3.C.2.
- g. Discharges of uncontaminated ground or spring water are exempt from the provisions of S.3.C.2.

D. Stormwater Discharges Subject to Effluent Guideline Limits

Stormwater discharges from the following facilities/activities are authorized subject to effluent limitations. The discharge of the pollutants at a level more than that identified and authorized by this permit for these facilities/activities shall constitute a violation of the terms and conditions of this permit.

1. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A

Parameter	EFFLUENT LIMITATIONS FOR HAZARDOUS WASTE LANDFILLS	
	Average Monthly ^a	Maximum Daily ^b
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
BOD5	56 mg/L	220 mg/L
TSS	27 mg/L	88 mg/L
Ammonia	4.9 mg/L	10 mg/L
Alpha Terpineol	0.019 mg/L	0.042 mg/L
Aniline	0.015 mg/L	0.024 mg/L
Benzoic Acid	0.073 mg/L	0.119 mg/L
Naphthalene	0.022 mg/L	0.059 mg/L
p-Cresol	0.015 mg/L	0.024 mg/L
Phenol	0.029 mg/L	0.048 mg/L
Pyridine	0.025 mg/L	0.072 mg/L
Arsenic (total)	0.54 mg/L	1.1 mg/L
Chromium (total)	0.46 mg/L	1.1 mg/L
Zinc	0.296 mg/L	0.535 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

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2. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445
Subpart B

Parameter	EFFLUENT LIMITATIONS FOR NON- HAZARDOUS WASTE LANDFILLS	
	Average Monthly ^a	Maximum Daily ^b
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
BOD5	37 mg/L	140 mg/L
TSS	27 mg/L	88 mg/L
Ammonia	4.9 mg/L	10 mg/L
Alpha Terpineol	0.016 mg/L	0.033 mg/L
Benzoic Acid	0.071 mg/L	0.12 mg/L
p-Cresol	0.014 mg/L	0.12 mg/L
Phenol	0.015 mg/L	0.026 mg/L
Zinc (total)	0.11 mg/L	0.20 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

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3. Exposed Coal Piles Regardless of Facility Category

Parameter	EFFLUENT LIMITATIONS FOR COAL PILES	
	Average Monthly ^a	Maximum Daily ^b
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
Total Suspended Solids (TSS)	NA	50 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

E. Stormwater Discharges to Impaired Waterbodies Except 303(d) Listings for Sediment and Tissue

The Permittee's discharge must not cause or contribute to an excursion of the State's water quality standards, including the State's narrative criteria for water quality. For 303(d) listings based on numeric water quality criteria, Permittees must comply with the State's water quality standard for each pollutant named as a pollutant causing a violation of water quality standards at the location named on the State's 303(d) list except for temperature which is not required and fecal coliform which is only required if there is a potential source from the industrial activity. Ecology will not require monitoring for fecal coliform if the Permittee can document that there is no potential source of fecal coliform from any of their industrial activities. A permittee's requirements to comply with this condition will be listed on the cover sheet. Ecology will maintain an electronic list of permittees subject to this permit condition. This list, titled Appendix 4, is available on Ecology's web site.

For waterbody segments listed as impaired by the State under Section 303(d) of the Clean Water Act, the applicable 303(d) list is the list which is in effect August 21, 2002, or the 303(d) list which is in effect at the date the first application for coverage is received by Ecology, whichever is later.

Permittees must be in compliance with applicable Total Maximum Daily Load (TMDL) determinations. Applicable TMDLs or TMDL determinations are TMDLs which have been completed by the issuance date of this permit, or which have been

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completed prior to the date that the permittees application is received by Ecology, which ever is later. A permittee's requirements to comply with this condition will be listed on their cover sheet. Ecology will maintain an electronic list of permittees subject to this permit condition. This list, titled Appendix 5, is available on Ecology's web site.

Unless the first application for coverage is received **after** any updated 303(d) list is effective, changes associated with revised 303(d) lists completed after September 20, 2002 will only become effective if they are imposed through an administrative order issued by Ecology.

Unless the first application for coverage is received **after** the TMDL is completed TMDL requirements associated with TMDLs completed after the issuance date of this permit will only become effective if they are imposed through an administrative order issued by Ecology.

1. New Facilities and Significant Process Change

New facilities that discharge either directly or indirectly via a stormwater conveyance system to waterbody segments listed as impaired by the State under Section 303(d) of the Clean Water Act must comply with the State's water quality standards for the named pollutant(s) at the point of discharge. Facilities with coverage under this permit, that implement a significant process change (see S1.D.1.) must either comply with the State's water quality standards for the named pollutant(s) at the point of discharge or demonstrate no increase in loading from the entire facility as a result of the process change. All new discharges including new discharges associated with significant process changes must be in compliance with any applicable TMDL determination.

PARAMETER	EFFLUENT LIMITATIONS: NEW FACILITIES TO IMPAIRED WATERS OR WATERS COVERED BY A TMDL
Parameter(s) as identified for the 303(d) listed segment or if applicable, TMDL determination	As listed on the coversheet, based on Chapter 173-201A or as identified in the TMDL or listing documentation

2. Existing Facilities discharging to water bodies for which an applicable TMDL has been completed:

PARAMETER	EFFLUENT LIMITATIONS: EXISTING FACILITIES TO WATERS COVERED BY A TMDL
Parameter(s) as identified in the applicable TMDL	As listed on the cover sheet to comply with the applicable TMDL

Note: A current listing of permittees subject to this permit condition and the specific effluent limitations and monitoring requirements, Appendix 5, is available on Ecology's web site.

3. Existing facilities which discharge either directly or indirectly via a stormwater conveyance system to waterbody segments listed as impaired by the State under Section 303(d) of the Clean Water Act are subject to the general compliance with standards provisions in S7. Additional monitoring and benchmarks apply as described in S.4.G

Note: A current listing of permittees subject to this permit condition, and the associated benchmarks and monitoring requirements, Appendix 4, is available on Ecology's web site.

F. Mixing Zones

A mixing zone may be requested during application for coverage or through modification of coverage. The applicant/Permittee must demonstrate that their discharge meets the applicability requirements listed below under S3.F.1. Mixing zone information must also be included in the public notice of the application for coverage/modification of coverage. The mixing zone is authorized when the application for coverage or modification of coverage becomes effective (see special condition S2, Coverage Requirements).

1. A mixing zone is only applicable when:
 - a. The pollutant is not subject to 303(d) listing at the point of discharge to a listed segment/grid;
 - b. The receiving waterbody does not have a control plan² that would limit available dilution;
 - c. The facility has implemented all known, available and reasonable methods of prevention, control and treatment (AKART) as identified below:
 - i. the facility has prepared and implemented a stormwater pollution prevention plan consistent with permit requirements

² Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other limitations that regulate or set limits on discharges to a specific waterbody or groundwater recharge area.

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- ii. all appropriate best management practices established for stormwater pollutant control associated with their industry as identified by Ecology's stormwater management manual have been applied to the discharge
 - d. The mixing zone does not have a reasonable potential to result in a loss of sensitive or important habitat, substantially interfere with the existing or characteristic uses of the waterbody, result in damage to the ecosystem, or adversely affect public health as determined by Ecology; and
 - e. The mixing zone does not create a barrier to the migration or translocation of indigenous organisms to a degree that has the potential to cause damage to the ecosystem.
- 2. The size of the requested mixing zone must be defined by the applicant/Permittee and the applicant/Permittee must clearly demonstrate the requested mixing zone complies with the requirements of Chapter 173-201A WAC. The mixing zone will only become effective if Ecology approves it in writing and after the public notice requirements of S2.B.5 have been met.
 - 3. A mixing zone shall be automatically revoked when notified by Ecology that an Ecology site inspection has determined the site does not meet the applicability requirements listed under S3.F.1 and S3.F.2.

G. General Prohibitions

All facilities must manage stormwater discharges to prevent the discharge of:

- 1. Synthetic, natural or processed oil or oil-containing products as identified by an oil sheen or
- 2. Floating materials

S4. MONITORING REQUIREMENTS

All facilities under this permit that discharge to surface water are required to conduct quarterly monitoring and sampling of stormwater as identified below. Facilities identified or covered as significant contributors of pollutants may be required to perform additional sampling and/or analysis as a condition of coverage. The Permittees must report their monitoring results for each quarter. The results of visual monitoring will be recorded in writing, signed according to General Condition G-17 and kept with the stormwater pollution prevention plan. The results of sampling and analysis will be submitted to Ecology. All monitoring reports will be retained for a minimum of five years, consistent with S5.B., Records Retention. If there is no discharge during the entire quarter, the Permittee must submit a report stating that no discharge occurred. If the Permittee was not required to conduct sampling and analysis based on consistent attainment of benchmark values, the Permittee must submit a report stating that sampling was not required based on consistent attainment. The quarters are defined as:

First Quarter: January, February, March

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Second Quarter:	April, May, June
Third Quarter:	July, August, September
Fourth Quarter:	October, November, December

A. Sampling Requirements

Stormwater must be sampled according to the instructions below unless the Permittee submits an alternative plan as a modification of coverage and it is approved by Ecology. The Permittee is not required to sample outside of regular business hours or during unsafe conditions. If a Permittee is unable to sample during a monitoring quarter they must submit an explanation with the monitoring report explaining why. Sampling of stormwater will be conducted in accordance with the following requirements. If one or more of the sample collection criteria below can not be met, the permittee must still collect and submit stormwater sampling result. A permittee is required to sample only once in a sample collection period and use its best efforts to achieve the storm event sample collection criteria. If a sample is taken and one or more of the sample collection criteria are not met, the permittee is not required to conduct additional sampling for that sample collection period.

1. The Permittee may take a single grab sample, a time-proportionate sample, or a flow proportionate sample. Grab samples are taken within the first hour after discharge begins. Time-proportionate and flow proportionate samples are started within the first 30 minutes after discharge begins and are taken over a two hour period.
2. All samples, except stormwater from coal piles, are taken as close to the point of discharge as reasonably practical and can be achieved safely. Stormwater from coal piles is sampled before the stormwater from the coal pile commingles with stormwater for other sources.
3. The storm event sampled is at least 0.1 inches of rain in a 24-hour period or the storm event has an intensity equal to 0.1 inches or greater in a 24 hour period proceeding sample collection.
4. The storm event sampled is preceded by at least 24-hours of no greater than trace precipitation.
5. Sampling is conducted to capture stormwater with the greatest exposure to significant sources of pollution. Each distinct point of discharge offsite must be sampled and analyzed separately if activities and site conditions that may pollute the stormwater are likely to result in discharges that will significantly vary in the concentration or type of pollutants. Where pollutant types do not vary, the Permittee may sample only the discharge point with the highest concentration of pollutants. However, the SWPPP must include documentation on how these determinations were made and in the description of each point of discharge, include the relative quantity (volume) of discharge and pollutants likely to be found.

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A permittee is only required to sample once per quarter and use its best efforts to achieve the storm event sampling criteria.

If a sample is taken but one or more of the criteria listed above are not met, the Permittee must submit the sample results and must include an explanation with the monitoring report identifying what criteria were not met and why. If a Permittee is not able to collect a sample, the permittee must still submit a quarterly discharge monitoring report and must include an explanation of why a sample was not collected.

B. Exceptions to Sampling Requirements

1. Facilities that are inactive and unstaffed during an entire quarter must notify Ecology at the beginning of the inactive period. Monitoring will typically not be required during the inactive and unstaffed period but may be required if conditions at the inactive site warrant it. To be eligible for a monitoring waiver at inactive and unstaffed sites you must certify the site is unstaffed and inactive and that pollutant generating activities (e.g. vehicle maintenance) are not occurring at the site. The certification must be signed in accordance with signatory requirements of G17 and must include a projected start and end date during which the site is inactive and unstaffed. The signed certification must be sent to Ecology prior to the beginning of the inactive period. A copy of the certification must also be kept with the Stormwater Pollution Prevention Plan. Unstaffed is defined as no staff assigned industrial or pollutant generating activities. A site may be "unstaffed" even when security personnel are present, provided that pollutant generating activities are not included in their duties.
2. Sampling may be suspended for one or more parameters based on consistent attainment of benchmark values as described below. However, a facility that conducts a significant process change must continue monitoring and may not use previous monitoring to demonstrate consistent attainment. Visual monitoring is not suspended.
3. Stormwater sampling requirements under this provision, S4.A., may be modified by Ecology for facilities that have received an "extreme hardship fee reduction" under chapter 173-224 WAC. In addition to economic hardship, Ecology must also determine that stormwater from the site will pose no significant environmental risk. Qualifying facilities must submit a written request for relief to Ecology. After receipt of the request, Ecology will conduct a site visit to evaluate whether stormwater runoff from the site constitutes a significant environmental risk. No reduction is authorized except through a written statement from Ecology that specifies the reduction that will be allowed. There will be no reduction in the visual monitoring requirements of this provision.

C. Response to Monitoring Results Above Permit Benchmark Values

The requirements of this condition apply to monitoring results collected after December 31, 2004. Any facility monitoring more than once per quarter shall use the average all of the monitoring results for each parameter monitored during the

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quarter to determine whether the following adaptive management requirements are applicable.

Level One Response

Each time after December 31, 2004 quarterly sampling results are above a benchmark value or outside the benchmark range for pH, the permittee shall take the following actions:

Actions:

The permittee shall:

- 1) conduct an inspection of their facility as promptly as possible but no later than two weeks after receipt of sampling results.
- 2) The inspection shall:
 - evaluate possible sources of the benchmark parameter in the stormwater discharge,
 - identify source /operational control methods by which the permittee can further reduce stormwater contamination,
 - evaluate whether any improvements or changes to the stormwater pollution prevention plan are warranted to control the benchmark parameter,
- 3) summarize the results, including remedial actions taken, if any, and place them in the SWPPP,
- 4) evaluate the need for a level two or three response as outlined below, and
- 5) include a brief summary of inspection results and remedial actions with the quarterly discharge monitoring report for the quarter for which sample results were above benchmark values.

Action Levels

– for samples collected after December 31, 2004

If any two out of the four previous quarterly sampling results for a parameter are above the action levels identified below, the permittee shall proceed with a level two response. If any four quarterly samples for a particular parameter are above the action levels identified below, the permittee shall proceed with a level three response.

Parameter	Action Level
Total Copper	149 µg/L
Total Lead	159 µg/L
Total Zinc	372 µg/L
Petroleum Oil & Grease	30 mg/L
Turbidity	50 NTU
BOD5	60 mg/L
Ammonia	38 mg/L
Nitrate/Nitrite Nitrogen	1.36 mg/L
Total Phosphorous	4.0 mg/L
pH	Outside the range of 5-10
Cover sheet parameters for 303(d) listed waterbody segments not listed above	Twice the benchmark level

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Level Two Response

A level two response shall be immediately initiated whenever two out of the previous four quarterly sampling results collected after December 31, 2004 are above the action levels identified above.

Action:

The Permittee shall:

- 1) promptly identify the potential sources of stormwater contamination that are causing or contributing to the presence of the benchmark parameter,
- 2) investigate all available options of source control, operational control and stormwater treatment best management practices to reduce stormwater contaminate levels below permit benchmark values,
- 3) implement additional source and operational best management practices identified as part of this investigation,
- 4) prepare a level two source control report outlining actions taken, planned and any scheduled for implementing source and operational best management practices to reduce stormwater contaminate levels, and
- 5) submit the level two source control report to Ecology within six months of initiating a level two response.

Level Three Response

If any four quarterly samples collected after December 31, 2004 are above the action levels identified above, the permittee shall immediately initiate a level three response.

Action:

The Permittee shall:

- 1) promptly identify the potential sources of stormwater contamination that are causing or contributing to the presence of the benchmark parameter,
- 2) investigate all available options of source control, operational control and stormwater treatment best management practices to reduce stormwater contaminant levels to or below permit benchmark values,
- 3) implement additional source control, operational control and stormwater treatment best management practices identified as part of this investigation within twelve months of initiating the level three response,
- 4) prepare a level three source control report outlining actions taken, planned and scheduled to reduce stormwater contaminant levels including stormwater treatment best management practices, and
- 5) submit the level three source control report to Ecology within twelve months of initiating a level three response.
- 6) The permittee may request a waiver from employing stormwater treatment best management practices. The waiver request must be submitted to Ecology within 3 months of initiating the level three response and must include an explanation why the implementation of stormwater treatment best management practices are infeasible,

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and are not necessary for compliance with water quality standards due to unique site conditions. The stormwater treatment waiver request must be reviewed and approved by Ecology as a modification of permit coverage in accordance with condition S1.D before the stormwater treatment waiver becomes effective.

Compliance with the requirements of this condition does not relieve the permittee of the duty to comply with any other applicable conditions of this permit.

D. Monitoring Requirements for All Facilities

Beginning with the second quarter of the year 2003, all facilities must conduct quarterly monitoring of authorized discharges of stormwater. Facilities that discharge only to ground must complete visual monitoring but are not required to conduct sampling and analysis unless specified by an Order issued by Ecology. Monitoring of discharges to surface water shall consist of visual monitoring and stormwater sampling.

1. Visual Monitoring

Visual monitoring shall be done at least quarterly and must include observations made at stormwater sampling locations at the time of sampling. Discharge locations that are not sampled shall receive visual inspection at least annually during a storm event. Visual monitoring includes discharges to ground. Inspection shall include observations for the presence of floating materials, visible sheen, discoloration, turbidity, odor, etc. in the stormwater discharge(s). Visual monitoring shall assess the SWPPP BMPs required by this permit. The visual inspection shall be conducted by personnel named in the SWPPP to verify that the description of potential pollutant sources required under this permit is accurate; the site map as required in the SWPPP has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are implemented and adequate.

In addition to quarterly visual inspection during storm events, the Permittee shall conduct at least one dry season (July, August, September) inspection each year by personnel named in the SWPPP and after at least seven (7) consecutive days of no precipitation. The dry season inspection shall determine the presence of nonstormwater discharges such as domestic wastewater, noncontact cooling water, or process wastewater (including leachate) to the stormwater drainage system that are not authorized under this permit. It does not include inflow of ground water. If a nonstormwater discharge is discovered, the Permittee shall notify Ecology. The Permittee shall eliminate the illicit discharge within 30 days.

Effective December 31, 2004, the results of each inspection/visual monitoring event shall be summarized in an inspection report or checklist and be entered into or attached to the Permittees SWPPP. Quarterly, visual monitoring reports must be signed by the person making the observations. Visual monitoring reports must

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be reviewed and signed by a duly authorized representative of the facility as described in condition G.17. Monitoring reports must include a certification that, in the judgment of the person signing the report, the facility is in compliance or non-compliance with the SWPPP and the permit, and identifying any incidents of non-compliance. If the site inspection indicates that the requirements of the SWPPP or the permit are not being met, the visual inspection report must include a summary of the actions which will be taken to meet the requirements of the SWPPP and the permit. Reporting of any non-compliance identified as part of visual inspections/visual monitoring shall be as required under S5.E of this permit.

2. Stormwater Sampling

Stormwater shall be sampled for the parameters listed in the following table. The Permittee may suspend stormwater sampling and analysis for turbidity, pH, zinc, and petroleum based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values are equal to or less than the benchmark values. For pH equal to or less than the benchmark values means that the pH did not exceed 9 and was not less than 6. It is not necessary to test and report parameters that are required under other categories unless different sampling points are required (e.g. coal piles).

Benchmark values are not water quality standards and are not permit limits. They are indicator values. Values at or below benchmark are considered unlikely to cause a water quality violation.

The listed test methods are the EPA standard methods considered appropriate for the required test. Equivalent or superior test methods may be substituted by an accredited lab. All meters used onsite for sample analysis must be operated in accordance with the manufacturers' requirements and properly calibrated.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Turbidity	NTU	meter	25 NTU	Quarterly
pH	Standard Units	meter/litmus paper	6 – 9 SU	Quarterly
Total Zinc	µg/L	EPA 200.7	117 µg/L	Quarterly
Petroleum - Oil and Grease	mg/L	EPA 1664 or 1664A	15 mg/L	Quarterly

3. Additional Metal Sampling

If the value for total zinc exceeds the benchmark value for two consecutive quarters, beginning with the next sampling quarter the Permittee shall include analysis for copper and lead as defined below. Analysis for these parameters will be required for the remainder of the permit term unless the Permittee becomes eligible to suspend monitoring through consistent attainment of benchmark

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values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported value for a parameter is equal to or less than the benchmark value. **Testing for hardness is not required for discharges to marine waters.**

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Total Copper	µg/L	EPA 200.7	63.6 µg/L	Quarterly
Total Lead	µg/L	EPA 200.7	81.6 µg/L	Quarterly
Hardness	mg/L	EPA 130.1 or 130.2	NA	Quarterly

E. Additional Monitoring Requirements by Industrial Group

In addition to the requirements above, beginning with the second quarter of the year 2003, all facilities identified by category below must conduct quarterly monitoring of authorized discharges of stormwater to surface water for the listed parameters. Stormwater sampling requirements under this provision, S4.E, may be reduced by Ecology for facilities that have received an "extreme hardship fee reduction" under chapter 173-224 WAC. In addition to economic hardship, Ecology must also determine that stormwater from the site will pose no significant environmental risk. Qualifying facilities must submit a written request for relief to Ecology. Ecology will conduct a site visit to evaluate whether stormwater runoff from the site constitutes a significant environmental risk. No reduction is authorized except through a modification of permit coverage in accordance with condition S1.D that specifies what, if any, reduction will be allowed.

1. Timber Product Industry, Paper and Allied Products

This group includes industries identified by SIC codes 24xx except for 2434 (wood Kitchen Cabinets) and industries identified by SIC codes 26xx except for 265x (Paperboard Containers) and 267x (converted paper and paperboard products).

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	Quarterly

The Permittee may suspend stormwater sampling and analysis for BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported value for BOD5 is equal to or less than the benchmark value.

2. Air Transportation

This group includes industries identified by SIC codes 4512-4581, air transportation, that use more than 100,000 gallons of glycol-based deicing/anti-icing and/or 100 tons or more of urea on an average annual basis. Monitor ONLY those outfalls from the airport facility that collect runoff from areas where deicing/anti-icing activities occur. Sample 4 times during the period when deicing activities are occurring.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Ammonia*	mg/L	EPA 350.1	19 mg/L	4/Year
Nitrate/ Nitrite as N*	mg/L	EPA 353.1 or 353.2	0.68 mg/L	4/Year
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	4/Year

*required only if urea is applied

The Permittee may suspend stormwater sampling and analysis for ammonia, nitrate/nitrite, and BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for ammonia, nitrate/nitrite, and BOD5 are equal to or less than the benchmark value.

3. Chemical and Allied Products, Food and Kindred Products

This group includes industries identified by SIC codes 28xx and 20xx.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Nitrate/ Nitrite as N	mg/L	EPA 353.1 or 353.2	0.68 mg/L	Quarterly
Phosphorus (TP)	mg/L	EPA 365.1, 365.3 or SM 4500-PH/PI	2.0 mg/L	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	Quarterly

The Permittee may suspend stormwater sampling and analysis for nitrate/nitrite, total phosphorus, and BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for nitrate/nitrite, total phosphorus, and BOD5 are equal to or less than the benchmark value.

4. Primary Metals, Metals Mining, Automobile Salvage, Scrap Recycling, Metals Fabricating

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This group includes facilities involved in the recycling of materials (includes metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards) and industries identified by SIC codes 10xx, 33xx, 34xx, 5015, 5093.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Copper	µg/L	EPA 200.7	63.6 µg/L	Quarterly
Lead	µg/L	EPA 200.7	81.6 µg/L	Quarterly
Hardness	mg/L	EPA 130.1	NA	Quarterly

The Permittee may suspend stormwater sampling and analysis for copper and/or lead, based on consistent attainment of benchmark values. If all metals monitoring is suspended, monitoring for hardness is also suspended. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values are equal to or less than the benchmark value. Testing for hardness is not required for discharges to marine waters.

F Additional Requirements for Facilities With Limits Based on EPA Effluent Guidelines

In addition to the requirements in S4.A. above, beginning with the second quarter of the year 2003, all facilities identified by category below must conduct quarterly monitoring of authorized discharges of stormwater to surface water for the listed parameters.

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1. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	Quarterly
TSS	mg/L	EPA 160.2	Quarterly
Ammonia	mg/L	EPA 350.1, 350.2, or 350.3	Quarterly
Alpha Terpineol	mg/L	EPA 8270	Quarterly
Aniline	mg/L	EPA 8131	Quarterly
Benzoic Acid	mg/L	EPA 8270	Quarterly
Naphthalene	mg/L	EPA 610, 625, or 1625	Quarterly
p-Cresol	mg/L	EPA 8270	Quarterly
Phenol	mg/L	D4763	Quarterly
Pyridine	mg/L	EPA 8270	Quarterly
Arsenic (total)	mg/L	EPA 200.7	Quarterly
Chromium (total)	mg/L	EPA 200.7	Quarterly
Zinc	mg/L	EPA 200.7	Quarterly

2. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart B

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	Quarterly
TSS	mg/L	EPA 160.2	Quarterly
Ammonia	mg/L	EPA 350.1, 350.2, or 350.3	Quarterly
Alpha Terpineol	mg/L	EPA 8270	Quarterly
Benzoic Acid	mg/L	EPA 8270	Quarterly
p-Cresol	mg/L	EPA 8270	Quarterly
Phenol	mg/L	D4763	Quarterly
Zinc (total)	mg/L	EPA 200.7	Quarterly

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3. Coal Piles (at any facility)

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
TSS	mg/L	EPA 160.2	Quarterly

G Monitoring Requirements for Facilities Discharging to 303(d) Listed Waters or Subject to TMDL Determination Except 303(d) Listings for Sediment and Tissue

In addition to the requirements in S4.C. above, beginning January, 2005, all facilities that discharge to waterbody segments listed as impaired by the State under Section 303(d) of the Clean Water Act must conduct quarterly monitoring of authorized discharges of stormwater to surface water. Samples must be analyzed for the parameters named on the 303(d) as causing impairment of the listed waters except for temperature which is not required and fecal coliform which is only required if there is a potential source from the industrial activity. Note: A current Appendix 4 with a list of permittees subject to the monitoring requirements of this condition is available on Ecology's web site.

Discharges to a waterbody for which a TMDL has been completed must be consistent with the TMDL determination. Where the TMDL determination sets load allocations for new discharges or limits pollutant concentrations in the discharge, the Permittee must conduct quarterly monitoring for the named pollutant(s) and the monitoring must be consistent with TMDL requirements, if any. Reporting as required by this permit begins with the first quarter of the year 2005. Note: A current Appendix 5 with a list of permittees subject to the monitoring requirements of this condition is available on Ecology's web site.

1. Permittees may suspend monitoring for a listed parameter if:
 - a. Eight consecutive samples fail to detect the presence of the listed parameter. Fail to detect does not apply to pH. For pH it is eight consecutive samples where the values are not outside of the water quality-based range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine).
 - b. The Permittee can demonstrate to Ecology's satisfaction after eight or more consecutive quarterly samples that there is no reasonable potential to violate water quality standards. For the purposes of suspending monitoring required under S4.G only, no reasonable potential to violate water quality is defined as a single sample exceeding eighty percent of the benchmark, and the average of the last eight consecutive quarterly samples is less than sixty percent of the benchmark.
2. For existing permittees discharging to water bodies for which an applicable TMDL has been completed:

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Parameter	Units	Analytical Method	Minimum Sampling Frequency
Parameter(s) as identified in the applicable TMDL. (See cover sheet)	As Applicable (see cover sheet)	Appropriate EPA or Equivalent Method	Quarterly (See cover sheet for specifics)

Note: A current Appendix 5 with a list of permittees subject to the monitoring requirements of this condition is available on Ecology's web site.

3. Existing permittees discharging to water bodies that discharge to waterbody segments listed as impaired by the State under Section 303(d) of the Clean Water Act:

Parameter	Units	Analytical Method	303(d) Benchmark Value	Minimum Sampling Frequency
Parameter(s) as identified for the 303(d) listed segment (See cover sheet)	As Applicable (See cover sheet)	Appropriate EPA or Equivalent Method	Based on Chapter 173-201A (See cover sheet)	Quarterly (See cover sheet for specifics)

Note: A current Appendix 4 with a list of permittees subject to the monitoring requirements of this condition is available on Ecology's web site.

H Monitoring Requirements for Facilities Discharging to 303(d) Waterbody segments listed for Sediment

All facilities that discharge to waterbody segments listed for sediment must notify Ecology of any sediment data they may have collected. Upon request from Ecology they will submit the data.

In addition to the requirements in S4.A. above, beginning with the first quarter of the year 2005, all facilities that discharge to waterbody segments listed by the State for violations of sediment standards under Section 303(d) of the Clean Water Act must conduct quarterly monitoring of authorized discharges of stormwater to surface water for total suspended solids (TSS). Discharges that demonstrate TSS levels consistent with secondary treatment standards (30 mg/L monthly average not to exceed 45 mg/L) are considered unlikely to violate sediment quality standards. Permittees that can demonstrate consistent attainment TSS levels of secondary treatment standards may suspend monitoring for the duration of the permit term. Consistent attainment is defined as 8 consecutive quarterly samples (omitting any quarter where there is no discharge) with an average TSS of 30 mg/L and no sample exceeding 45 mg/L.

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I Analytical Procedures for Monitoring Requirements

Analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Ecology) provided that such otherwise approved analytical method is the equivalent of that found in the guidance cited in this section or will result in more accurate analytical results or will have a lower detection limit.

J Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement. Conductivity, pH, and turbidity shall be accredited if the laboratory must be registered or accredited for any other parameter. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

SS. REPORTING AND RECORDKEEPING REQUIREMENTS

Unless referring to a specific permit requirement (e.g. reporting sampling results), the following conditions apply to all records and reports required by this permit. The falsification of information submitted to Ecology shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins in the second quarter of 2003. Monitoring results must be submitted quarterly. Monitoring data obtained during each monitoring period must be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology. Permittees are authorized and encouraged to use electronic submission when an official Ecology electronic DMR form becomes available. DMR forms may be submitted any time after completing the required monitoring each quarter but must be sent to or filed electronically with Ecology within 45 days following the end of the reporting period.

First Quarter	Not later than May 15
Second Quarter	Not later than August 14
Third Quarter	Not later than November 14
Fourth Quarter	Not later than February 14

If you are unable to submit discharge monitoring reports electronically, you may submit printed reports to Ecology's headquarters' office:

Industrial Stormwater Permit Manager
Department of Ecology

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Water Quality Program
PO Box 47696
Olympia, Washington 98504-7696

All laboratory reports providing data for organic and metal parameters must include the following information: sampling date, sample location (may use SWPPP identifier), date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. These records must be maintained onsite and are not submitted to Ecology unless requested.

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. Discharge monitoring forms must also be submitted quarterly if monitoring has been suspended as a result of consistent attainment of benchmark values. If there was no discharge during a given monitoring period, submit the form electronically or by mail marking the "no discharge" check box. If you have suspended monitoring based on consistent attainment, submit the form electronically or by mail marking the "consistent attainment" check box.

In accordance with condition S4.C, Response to Monitoring Results Above Benchmarks if monitoring results are above applicable benchmark values or action levels, permittees must include with the quarterly discharge monitoring report an explanation of the actions taken.

B. Records Retention

The Permittee shall retain records of all monitoring information, inspection reports, and any other documentation of compliance with permit requirements for a minimum of five (5) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S4. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

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E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit that could result in the discharge of pollutants in a significant amount, the Permittee shall:

1. Immediately take action to minimize potential contamination or otherwise stop the noncompliance and correct the problem.
2. Immediately notify the appropriate Ecology regional office of the failure to comply.
3. Submit a detailed written report to Ecology within thirty [30] days unless Ecology requests an earlier submission. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Public Access to Stormwater Pollution Prevention Plans

As specified in Condition S9.A.3, Ecology will maintain a copy of the SWPPP for each industrial facility at the appropriate Ecology regional office, and the public may view a copy of a Permittee's SWPPP at the appropriate regional office. Also, in the interest of the public's right to know, you must provide a copy, or access to a copy, of your SWPPP to the public if requested in writing to do so.

Upon receiving a request from the Public for a copy of the SWPPP the Permittee shall provide a copy of the SWPPP as requested within a reasonable time frame.

1. The Permittee may contact the requestor to determine if the entire SWPPP is needed or specific portions satisfy the requestor's needs; or
2. Notify the requestor of the location and times within normal business hours that the SWPPP can be viewed. The Permittee will provide reasonable access to copying services for which a reasonable fee may be charged; or
3. Notify the Department and requestor of claims to confidential business information and/or security concerns with releasing the SWPPP to the public. The Permittee shall identify the general sections of concern. The Department shall then coordinate with the permittee and requestor to provide such information as needed to satisfy the requestor's needs. Disputes on SWPPP material released shall be subject to Section S13 Dispute Resolution of this permit or such other applicable course of appeal as pertain to the information under consideration.

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S6. CONDITIONAL "NO EXPOSURE" CERTIFICATE

Any industrial activity identified for coverage under S1.A.1. may submit a "no exposure" form in lieu of an application for coverage if they meet the criteria for "no exposure". Submission may be by hard copy form or by electronic submission using the official Ecology form.

- A. The facility must completely fill out and submit the "no exposure" form provided by Ecology.
- B. The facility must retain a signed copy of the completed "no exposure" form on-site.
- C. The facility must meet the following minimum conditions:
 1. All areas where industrial materials and activities occur must be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.
 2. The "no exposure" determination must apply to the entire facility and cannot apply just to individual outfalls.
 3. The facility's stormwater discharge has no reasonable potential to cause or contribute to a violation of applicable water quality standards.
 4. Stormwater is not subject to significant levels of pollutants from impervious surfaces such as copper or zinc from some roof surfaces.
 5. Impervious surface added to achieve a "no exposure" determination must not result in adverse flow impacts on the receiving water.
 6. There must be no previous site contamination that can be mobilized by stormwater.
- D. A conditional "no exposure" determination is granted 60 days after submitting the form to Ecology unless Ecology responds in writing. Ecology may deny "no exposure" status, require additional information, or specify additional time for review of the request for "no exposure" status. The "no exposure" certificate is conditional on having and maintaining a status of "no exposure" as defined above (S6.C.).
- E. A "no exposure" determination does not void General Condition G3., Right of Entry, of this permit.
- F. "No exposure" must be reauthorized by submitting a new "no exposure" form every five (5) years or within thirty (30) days of the effective date of reissuance of the industrial stormwater general permit, whichever comes first.
- G. If changes at a facility will result in exposure of industrial activities or materials, the "no exposure" exclusion ceases to apply as soon as those changes occur. You must apply for stormwater permit coverage under an applicable NPDES permit for stormwater discharges at least thirty-eight days before implementing changes that would result in exposure.

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S7. COMPLIANCE WITH STANDARDS

Permittees must comply with Washington State surface water quality standards (Chapter 173-201A WAC), sediment management standards (Chapter 173-204 WAC), ground water quality standards (Chapter 173-200 WAC), and human health-based criteria in the national Toxics Rule (federal Register, Vol. 57, No. 246, Dec. 22, 1992, pages 60848-60923).

Compliance with standards applies to all discharges except for the implementation time provided to existing facilities with first time coverage as identified in S2.B.

Compliance with surface water quality standards means that stormwater discharges by a facility with permit coverage will not cause or contribute to a violation of water quality standards in the receiving water.

- A. The receiving water is the waterbody at the point of discharge. If the discharge is to a stormwater conveyance system, either surface or subsurface, the receiving water is the waterbody that the stormwater conveyance system discharges to. Systems designed primarily for other purposes such as for groundwater drainage or for conveyance of irrigation water/return flows that coincidentally convey stormwater are considered the receiving water and not a stormwater conveyance system.
- B. Ecology will apply a mixing zone where one is authorized and consistent with Special Condition S3.E. Compliance with numerical surface water quality standards shall be determined after consideration of available dilution.
- C. Where a mixing zone is not allowed, stormwater discharges must comply with surface water quality standards at the point of discharge to the receiving water or to the stormwater conveyance system for those systems that do not discharge directly to the receiving water.
- D. For the purposes of this permit, all references and requirements associated with Section 303(d) of the Clean Water Act shall use the list which is in effect August 21, 2002, or the 303(d) list which is in effect at the date the first application for coverage is received by Ecology, whichever is later.
- E. Compliance with water quality standards shall be presumed, unless discharge monitoring data or other site specific information demonstrates that a discharge causes or contributes to violation of water quality standards, when the permittee is:
 1. In full compliance with all permit conditions, including planning, sampling, monitoring, reporting, and recordkeeping conditions; and
 2. Fully implementing storm water best management practices contained in storm water technical manuals approved by the department, or practices that are demonstrably equivalent to practices contained in storm water technical manuals approved by the department, including the proper selection, implementation, and maintenance of all applicable and appropriate best management practices for on-site pollution control.

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"Demonstrably equivalent" means that the technical basis for the selection of all storm water best management practices are documented within a storm water pollution prevention plan. The storm water pollution prevention plan must document:

- a. The method and reasons for choosing the storm water best management practices selected;
- b. The pollutant removal performance expected from the practices selected;
- c. The technical basis supporting the performance claims for the practices selected, including any available existing data concerning field performance of the practices selected;
- d. An assessment of how the selected practices will comply with state water quality standards; and
- e. An assessment of how the selected practices will satisfy both applicable federal technology-based treatment requirements and state requirements to use all known, available, and reasonable methods of prevention, control, and treatment.

S8. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited for stormwater events below the approved design criteria for stormwater management. The Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, 3 or 4) is applicable.

1. Bypass of stormwater is consistent with the design criteria and part of an approved management practice in the applicable stormwater management manual.
2. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health.

3. Bypass of Stormwater is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

This bypass is permitted only if:

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- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- b. A severe storm event overwhelms properly designed and maintained stormwater management systems and there are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
- c. The Department is properly notified of the bypass as required in condition S5E of this permit.

4. A Planned Action That Would Cause Bypass of Stormwater and has the Potential to Result in Noncompliance of this Permit During a Storm Event The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

B. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S9. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

All facilities covered under this permit must have a Stormwater Pollution Prevention Plan (SWPPP) specifically developed for their facility. The SWPPP must be consistent with permit requirements, fully implemented as directed by permit conditions, and updated as necessary to maintain compliance with permit conditions. The SWPPP must include the BMPs necessary to provide all known, available and reasonable methods of prevention, control, and treatment (AKART). It must also include any additional BMPs as necessary to comply with state water quality standards. New facilities must have a SWPPP developed and implemented before beginning operation. However, some components of a SWPPP are added over time (e.g. results of dry and wet weather inspections) and cannot be included in the first SWPPP. The Permittee must update the SWPPP as required by permit conditions.

The technical basis for the selection of all stormwater BMPs must be documented within the Stormwater Pollution Prevention Plan. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the BMP being selected and the technical basis which support the performance claims for the BMPs being selected, and an assessment of how the selected BMP will comply with state water quality standards, satisfy the state AKART requirements, and the federal technology-based treatment requirements under 40 CFR part 125.3 (*the demonstration approach*).

Permittees which choose to follow the stormwater management practices contained in approved stormwater technical manuals (*the presumptive approach*), including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater technical manuals is outlined in S9.A.5. Permittees choosing the presumptive

approach may select BMPs which are functionally equivalent to BMPs in the Manual but must document within the SWPPP their functional equivalency.

A. General Requirements

The Permittee shall retain the SWPPP on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology. If discharge is to a municipal storm sewer system, the municipal operator of the storm sewer system shall also have access to the SWPPP. The responsible party as identified in General Condition G17, Signatory Requirements, shall sign the SWPPP and significant updates.

1. Illicit Discharges:

The SWPPP shall include measures to identify and eliminate the discharge of process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges, to stormwater drainage systems, or to surface waters of the state of Washington.

2. Ecology Request:

Ecology may request a current copy of or update to the stormwater pollution prevention plan (SWPPP). The Permittee must submit their SWPPP/update to Ecology within two (2) weeks of receiving the request or at a later date if approved by Ecology.

3. Public Access:

Ecology will maintain a copy of the SWPPP for each industrial facility at the appropriate Ecology regional office. The public may view a copy of a Permittee's SWPPP at the Ecology regional office. (See also condition S.5.F)

4. Enhanced/Additional Best Management Practices (BMPs):

The Permittee shall provide a schedule in the SWPPP for implementation of any additional or enhanced BMPs that are necessary because of a notice from Ecology, facility changes, or self-inspection. A schedule for implementation (plan) must be completed and entered into the SWPPP within 30 days of a notice/determination of necessary improvements. BMPs identified in the plan must be implemented with due diligence. Noncapital BMPs shall be completed within two weeks after completing the plan and capital BMPs within six months. Enhanced/additional BMPs will comply with Special Condition S9.A.5. below. Complying with this provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where stormwater discharges violate water quality standards.

Ecology may issue a notice to the Permittee when the SWPPP does not meet one or more of the minimum requirements of Special Condition S9 or when it is not

adequate to assure compliance with standards. The Permittee shall modify the SWPPP and the BMPs to correct the deficiencies identified in the notice.

Ecology may require additional BMPs where the Permittee exceeds benchmark values for required sampling.

The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.

This permit requires the Permittee to conduct visual monitoring and this monitoring may identify BMPs that are inadequate or pollutant sources that are not identified or poorly described in the SWPPP. When visual monitoring identifies inadequacies in the SWPPP, due to the actual discharge of or potential to discharge a significant amount of any pollutant, the SWPPP must be modified and BMPs adjusted to correct the deficiency.

5. Proper Selection And Proper Use of Stormwater Management Manuals (SWMM):

Permittees choosing to use the Presumptive Approach in selecting BMPs from approved stormwater technical manuals must clearly state which of the approved stormwater technical manuals the BMPs in their SWPPP are based on. Permittees who choose not to use this approach must demonstrate in their SWPPP the technical basis for the BMPs selected as set forth in the introductory paragraphs of this section, S9.

For permittees which choose to follow the presumptive approach, the approved and applicable stormwater management manuals are:

- The Stormwater Management Manual for Western Washington is the applicable SWMM for all facilities west of the crest of the Cascade Mountains as of February 1, 2002.
- The Stormwater Management Manual for Eastern Washington is the applicable SWMM for all facilities east of the crest of the Cascade Mountains as of November, 2004.
- Regional Road Maintenance ESA Program Guidelines as approved by NOAA fisheries in a 4(d) rule.

New facilities shall apply the minimum technical requirements and BMPs appropriate for their facility as found in the most recent published edition of the SWMM or other equivalent manuals that are available when selecting BMPs for their facility.

Existing facilities are not required to redo their SWPPP and BMPs to incorporate changes to BMPs that were designed and implemented according to an earlier version of the SWMM. However, existing facilities shall apply the applicable

technical standards and BMPs as found in the most recent published edition of the SWMM, or other equivalent manuals, that are available when updating their SWPPP to accommodate changes at their facility or when additional BMPs are required to maintain compliance with permit conditions.

Facilities undergoing new development or redevelopment will apply the applicable minimum requirements of the appropriate, most current SWMM available when beginning final design of the project to the development site.

All treatment BMPs that include the addition of chemicals to provide treatment must be approved by Ecology before implementation.

6. Other Pollution Control Plans:

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit and must meet the availability requirements of the SWPPP (see S9.A., S9A.2. and 3.). A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.

B. SWPPP Contents and Requirements

The SWPPP shall contain a detailed assessment of the facility and a detailed description of the best management practices (BMPs). Any parts of the SWPPP which the facility wants to claim as Confidential Business Information must be clearly identified in the plan.

1. Facility Assessment:

The facility assessment must include a description of the facility, a detailed site map, an inventory of facility activities and equipment that contribute to or have the potential to contribute pollutants to stormwater, and an inventory of materials that contribute to or have the potential to contribute pollutants to stormwater. The assessment must be as complete as possible (including incidental sources such as tire wear or equipment leaks) and must be updated to reflect substantive changes at the facility. The SWPPP must address each potential pollutant source of a significant amount with best management practices that will eliminate or reduce the potential to contaminate stormwater through source control or treatment.

- a. **Facility Description:** The facility description will describe the industrial activities conducted at the site, the general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility. It should include seasonal variations including peaks in production and any changes in work based on season or weather (e.g. moving work outdoors on dry days).
- b. **Site Map:** The site map must be drawn to an identified scale or include relative distances between significant structures and drainage systems. It

must provide identifiers (names) of significant features and be of sufficient size and detail to identify the following: The site map will show the stormwater drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to ground water), paved areas and buildings, areas of pollutant contact (actual or potential), surface water locations (including wetlands and drainage ditches), areas of existing and potential soil erosion (in a significant amount) and vehicle service areas;

Lands and waters adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

- c. **Industrial Activities:** The inventory of industrial activities will identify all areas associated with industrial activities (see Appendix #1-Section A) which have been or may potentially be sources of significant amounts of pollutants, including the following:

- i) Loading and unloading of dry bulk materials or liquids.
- ii) Outdoor storage of materials or products.
- iii) Outdoor manufacturing and processing.
- iv) Dust or particulate generating processes.
- v) Roofs or other surfaces exposed to air emissions from a manufacturing building or a process area.
- vi) On-site waste treatment, storage or disposal.
- vii) Vehicle and equipment fueling, maintenance and/or cleaning (includes washing).
- viii) Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g. galvanized or copper roofs).

- d. **Inventory of Materials:** The inventory of materials will list all the types of materials handled at the site that potentially may be exposed to precipitation or runoff and could result in stormwater pollution of a significant amount. The inventory will include a short narrative for each material describing the potential of the pollutant to be present in stormwater discharges. The Permittee will update this narrative when data become available to verify the presence or absence of these pollutants. The inventory will include a narrative description of any potential sources of pollutants of a significant amount from past activities; significant materials that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. Include the method and location of on-site storage or disposal; and a list of significant spills and significant leaks of toxic or hazardous pollutants.

- 2. **Monitoring Plan:** The SWPPP will include a monitoring plan. The plan must identify all the points of discharge to surface water or to a storm drain system. If

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there is more than one point of discharge then the plan must include a discussion of representative sampling and how the Permittee has determined which points of discharge will be monitored. The discussion must include a means to estimate of the volume/rate of discharge from each discharge point based on storm duration, intensity and quantity, differences in exposure to pollutants, pollutants likely to be in each discharge and a relative comparison of probable pollutant concentrations. The plan must identify who is responsible for monitoring and how monitoring will be conducted to comply with permit conditions. The monitoring plan will address stormwater sampling requirements and visual inspections. The plan must include the following:

- a. Identification of points of discharge
 - b. A check list for visual monitoring
 - c. Who conducts stormwater sampling
 - d. Where samples will be taken
 - e. Parameters for analysis
 - f. Procedures for sample collection and handling
 - g. Procedures for sending samples to lab
 - h. Procedure for submitting results to Ecology
3. **BMPs:** The SWPPP must include a description of the best management practices (BMPs) that are necessary for the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must also be considered to regulate peak flow and volume of stormwater discharge. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the BMP being selected and the technical basis that supports the performance claims for the BMPs being selected and an assessment of how the selected BMP will comply with state water quality standards, satisfy the state AKART requirements, and the federal technology-based treatment requirements under 40 CFR part 125.3.

Permittees which choose to follow the stormwater management practices, or their functional equivalents, contained in approved stormwater management manuals, including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater management manuals is outlined in S9.A.5.

BMPs shall be included to comply with the following requirements:

- a. **Operational Source Control BMPs:** Operational BMPs are common to all facilities. The categories listed below are a minimum set of BMPs that must be included in the SWPPP.
 - i) Pollution Prevention Team: The SWPPP will include a BMP that identifies specific individuals by name or by title within the plant organization who are responsible for developing the SWPPP and assisting the plant manager in its implementation, maintenance, and modification. The activities and responsibilities of the team should address all aspects of the facility's SWPPP.
 - ii) Good Housekeeping: The SWPPP will include a BMP(s) that defines ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges. The SWPPP will include the schedule/frequency for completing each housekeeping task.
 - iii) Preventive Maintenance: The SWPPP will include a BMP(s) to inspect and maintain the stormwater drainage and treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater. The SWPPP will include the schedule/frequency for completing each maintenance task.
 - iv) Spill Prevention and Emergency Cleanup Plan: The SWPPP will include BMP(s) to identify areas where potential spills can contribute pollutants to stormwater discharges. The BMP(s) must specify material handling procedures, storage requirements, cleanup equipment and procedures as appropriate. The SWPPP may include excerpts of plans prepared for other purposes (e.g., Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA), where those excerpts meet the intent of this requirement.
 - v) Employee Training: The SWPPP will include a BMP(s) to provide SWPPP training for employees who have duties in areas of industrial activity subject to this permit. At a minimum, training shall include an overview of what is in the SWPPP and how employees make a difference in complying with the SWPPP and preventing contamination of stormwater. The training must address spill response procedures, good housekeeping, and material management practices. The BMP(s) must provide the content of the training, how training will be conducted and the frequency/schedule for assuring employees receive training. Annual training is the minimum acceptable frequency. A log of the dates on which specific employees receive training shall be kept and included in the SWPPP.
 - vi) Inspections and Recordkeeping: The SWPPP will include documentation of procedures to assure compliance with permit requirements for inspections and recordkeeping. At a minimum it will:

- identify plant personnel who will inspect designated equipment and plant areas as required in Special Condition S4, Monitoring Requirements,
 - provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual monitoring,
 - define how Permittee will comply with signature requirements and records retention identified in Special Condition S5, Reporting and Recordkeeping Requirements, and
 - include certification of compliance with the SWPPP.
- b. **Structural Source Control BMPs:** Structural source control BMPs must be provided to eliminate or minimize the exposure of stormwater to pollutants. Volume IV of Ecology's SWMM provides useful information for source control BMPs for different industrial activities. For permittees choosing to use approved SWMMs or other technical guidance documents approved by Ecology as a means to meet this requirement the BMPs listed as "applicable" are considered the minimum set of required BMPs for an industrial activity. Equivalent BMPs may be selected which result in equal or better quality of stormwater discharge.
- c. **Treatment BMPs:** Treatment BMPs are required when operational and source control BMPs are not adequate to reduce pollutants below a significant amount and maintain compliance with water quality standards. At a minimum the SWPPP must include a narrative that describes how the Permittee determined if treatment BMPs are/are not required. When treatment BMPs are required, the permittee may refer to the Ecology SWMM, Volume V, or equivalent manual, for guidance on selecting treatment BMPs.
- d. **Stormwater Peak Runoff Rate and Volume Control BMPs:** Stormwater runoff from new development and redevelopment shall be evaluated to determine if flow control is necessary to satisfy the state AKART requirements, prevent pollution of state waters, or comply with state water quality standards. At a minimum, the SWPPP must include a narrative that describes how the Permittee determined if flow control BMPs are/are not required. Permittees which choose not use approved SWMMs or other technical guidance documents approved by Ecology to meet this requirement must include within the SWPPP the technical basis for their chosen BMPs as described in the introductory paragraphs of section S9. Where required, the SWPPP shall include appropriate BMPs from Volumes I and III of Ecology's SWMM or equivalent manuals.
4. **Erosion and Sediment Control BMPs:** All facilities must evaluate the risk of soil erosion on their site that could contaminate stormwater. At a minimum the SWPPP must include a narrative that describes if there is reasonable potential for soil

erosion of a significant amount at the site. Where reasonable potential exists, the Permittee must include BMPs to prevent or minimize the potential for soil erosion on-site. The SWPPP must document how stormwater BMPs were selected, the performance expected from the BMP being selected and the technical basis that supports the performance claims for the BMPs being selected, and an assessment of how the selected BMP will reduce the potential for soil erosion.

Permittees which choose to follow the stormwater management practices contained in approved stormwater management manuals, including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater management manuals is outlined in S9.A.5.

S10. SOLID AND LIQUID WASTE DISPOSAL

Disposal of waste materials from maintenance activities, including liquids and solids from cleaning catch basins and other stormwater facilities, shall be conducted in accordance with the Minimum Functional Standards for Solid Waste Handling, Chapter 173-304 WAC, and where appropriate, the Dangerous Waste Regulations, Chapter 173-303 WAC.

S11. NOTICE OF TERMINATION (NOT)

- A. The Permittee(s) may submit a Notice of Termination as prescribed by Ecology and signed in accordance with General Condition G17. of this permit. A Notice of Termination is appropriate when one or more of the following conditions are met:
 - 1. All permitted stormwater discharges associated with industrial activity that are authorized by this permit cease because the industrial activity has ceased, and no significant materials or industrial pollutants remain exposed to stormwater.
 - 2. The party that is responsible for permit coverage (signatory to application) sells or otherwise legally transfers responsibility for the industrial activity.
 - 3. All permitted stormwater discharges associated with industrial activity that are authorized by this permit cease because the stormwater is redirected to sanitary sewer.
 - 4. The Permittee applies for and receives a conditional certificate of no exposure.

A transmittal letter, which provides a brief description of the circumstances warranting termination of permit coverage, shall be included with the NOT submission.

- B. The Permittee may transfer permit coverage to a new owner/operator. Permittee must meet the conditions of General Condition G14., Permit Transfer.

S12. DETERMINATION OF PRIMARY ACTIVITY

For the purpose of requiring stormwater discharge permit coverage Ecology may determine the primary activity of any facility based on the activities taking place at the facility regardless of the SIC code of its ownership or parent company. Permit coverage may be required if the primary activity is listed among the industrial SIC categories in Appendix #1-Section C.

S13. DISPUTE RESOLUTION

Ecology encourages parties that disagree with an Ecology action taken under this permit, to contact Ecology and set up a process to resolve the issues. Actions taken by Ecology may also be appealed through the procedures established under RCW 43.21B.310.

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GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of that authorized by this general permit shall constitute a violation of the terms and conditions of this general permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G3. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records shall be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that shall be kept under the terms of this permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in this permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G4. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any *discharger* authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A. Violation of any term or condition of this permit;
- B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
- C. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
- D. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;

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- E. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
- F. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G5. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G6. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G5. above, or 40 CFR 122.62 shall report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. Ecology may then require submission of a new application for coverage under this, or another general permit, or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

G7. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

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G8. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G9. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G10. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order³ or permit modification.

G11. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G12. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater shall not be resuspended or reintroduced for discharge to State waters.

G13. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under the industrial stormwater general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to the industrial stormwater general permit, the applicability of the industrial stormwater general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G14. PERMIT TRANSFER

Coverage under this permit is automatically transferred to a new owner or operator if:

- A. The type of industrial activities and practices are substantially unchanged;

³ Ecology's determination to issue an Order to increase monitoring frequency is an appealable action under RCW 43.21B.310.

- B. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology;
- C. A copy of this permit is provided to the new owner; and
- D. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

G15. DUTY TO REAPPLY

The Permittee shall reapply for coverage under this permit, at least, one hundred and eighty (180) days prior to the specified expiration date of this permit. An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

G16. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

G17. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to Ecology shall be signed and certified.

- A. In the case of a municipal, State or other public facility, all permit applications shall be signed by a principal executive officer or ranking elected official. In the case of a corporation, partnership, or sole proprietorship, all permit applications shall be signed by either a principal executive officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by Ecology shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G18. APPEALS

The terms and conditions of the industrial stormwater general permit are subject to appeal. There are two different appeal categories.

- A. The permit terms and conditions as they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of the industrial stormwater general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. The applicability of the permit terms and conditions to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of the industrial stormwater general permit coverage of an individual discharger is limited to the applicability or non-applicability of the industrial stormwater general permit to that same discharger. Appeal of this permit coverage of an individual discharger will not affect any other individual dischargers. If the terms and conditions of the industrial stormwater general permit are found to be inapplicable to any

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discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G19. SEVERABILITY

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

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APPENDIX #1

A. Edited Version of 40 CFR Subpart 122.26(b)(14)

"Stormwater discharge associated with industrial activity" means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR Part 122. For the categories of industries identified in subparagraphs (1) through (10) below, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters [as defined at 40 CFR Subchapter N (Effluent Guidelines and Standards) Part 401 (General Provisions)]; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

For the categories of industries identified in subparagraph (11), the term includes only stormwater discharges from all the areas (except access roads and rail lines) that are listed in the previous paragraph where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to stormwater. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities (including industrial facilities that are federally, state, or municipally owned or operated that meet the description of the facilities listed in this Appendix) include those facilities designated under the provisions of 40 CFR 122.26 (a)(1)(v).

B. Identify Primary Activity

A facility may need to apply for permit coverage if the primary activity at the facility is listed among the industrial SIC categories in this Appendix #1-Section C whether or not the activity is auxiliary to the owner or other operating establishment. Thus, the primary activity at the facility will be used when determining permit coverage regardless of the SIC code of the owner or parent company. For example, a distribution center for a supermarket chain could be engaged in several activities listed in Appendix #1-Section C, such as transportation or warehousing. Both the transportation and warehousing facilities may be required to apply for permit coverage regardless of their relationship to the supermarket operations.

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C. Categories of Facilities Engaging in Industrial Activity

The following categories of facilities are considered to be engaging in industrial activity and are listed in 40 CFR Subpart 122.26(b)(14) of the November 16, 1990, federal regulation.

1. FACILITIES SUBJECT TO STORMWATER EFFLUENT LIMITATIONS

GUIDELINES, or NEW SOURCE PERFORMANCE STANDARDS specified in 40 CFR Subchapter N, or TOXIC POLLUTANT EFFLUENT STANDARDS under 40 CFR Subchapter D (except facilities with toxic pollutant effluent standards which are exempted under category 11 below).

2. FACILITIES LISTED UNDER THE FOLLOWING STANDARD INDUSTRIAL CLASSIFICATIONS (SIC):

- 24xx Lumber and Wood Products (except 2434 - Wood Kitchen Cabinets, see Category 11)
- 26xx Paper and Allied Products (except 265 - Paperboard Containers; and 267 - Converted Paper and Paperboard Products, see Category 11)
- 28xx Chemicals and Allied Products (except 283 - Drugs; and 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products, see Category 11)
- 29xx Petroleum and Coal Products, (except 2951 - Asphalt Concrete Plants, must apply for the sand and gravel general permit)
- 311x Leather Tanning and Finishing
- 32xx Stone, Clay and Glass Products (except 323 - Glass Products made from purchased glass, see category 11) and (except 3273 - Ready-Mixed Concrete, must apply for the sand and gravel general permit)
- 33xx Primary Metals Industries
- 3441 Fabricated Structural Metal
- 373x Ship and Boat Building and Repairing

3. FACILITIES CLASSIFIED AS SICs 10 THROUGH 14 (mineral industry) listed below, including active or inactive mining operations [except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) Subchapter N (Coal Mining Point Source Category: BPT, BAT, BCT Limitations and New Source Performance Standards) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas on noncoal mining operations which have been released from applicable state or federal reclamation requirements after December 17, 1990] and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come in contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations. Inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction,

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beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

- 10xx Metal Mining
- 12xx Coal Mining
- 13xx Oil and Gas Extraction
- 14xx Mining and Quarrying of Nonmetallic Minerals, except Fuels (except 1411 - dimension stone; 1422 - Crushed and Broken Limestone; 1423 - Crushed and Broken Granite; 1429 - Crushed and Broken Stone, Not Elsewhere Classified; 1442 - Construction Sand and Gravel; 1446 - Industrial Sand, 1445 - Kaolin and Ball Clay; 1459 - Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified; 1499 - Miscellaneous Nonmetallic Minerals, Except Fuels; must apply for the sand and gravel general permit)

4. HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES, including those operating under interim status or a permit under Subtitle C of the Resource Conservation and Recovery Act (RCRA).
5. LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS that receive or have received any industrial wastes (waste that is received from any of the facilities described in this appendix) including those subject to regulation under Subtitle D of RCRA.
6. RECYCLING FACILITIES, facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093.
7. STEAM ELECTRIC POWER GENERATING FACILITIES, including coal handling sites.
8. TRANSPORTATION FACILITIES classified under SICs below, which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations, airport deicing operations or which are otherwise identified under one of the other 11 categories of industrial activities listed in this appendix are associated with industrial activity.

- 40xx Railroad Transportation,
- 41xx Local and Interurban Passenger Transportation,
- 42xx Motor Freight Transportation and Warehousing (except 4221 Farm Product Warehousing and Storage; 4222 Refrigerated Warehousing and Storage; and 4225 General Warehousing and Storage; see Category 11),
- 43xx United States Postal Service,
- 44xx Water Transportation,
- 45xx Transportation by Air,
- 5171 Petroleum Bulk Stations and Terminals;

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9. TREATMENT WORKS treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge, that are located within the confines of the facility, with a design flow of one million gallons per day or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA.

10. CONSTRUCTION ACTIVITIES are not covered under the industrial stormwater general permit.

11. FACILITIES UNDER THE FOLLOWING STANDARD INDUSTRIAL CLASSIFICATIONS:

- 20xx Food and Kindred Products
- 21xx Tobacco Products
- 22xx Textile Mill Products
- 23xx Apparel and Other Textile Products
- 2434 Wood Kitchen Cabinets
- 25xx Furniture and Fixtures
- 265x Paperboard Containers and Boxes
- 267x Converted Paper and Paperboard Products
- 27xx Printing, Publishing and Allied Industries
- 283x Drugs
- 285x Paints, Varnishes, Lacquers, Enamels, and Allied Products
- 30xx Rubber and Miscellaneous Plastic Products
- 31xx Leather and Leather Products (except 311 Leather Tanning and Finishing, see Category 2)
- 323x Glass Products Made of Purchased Glass
- 34xx Fabricated Metal Products (except 3441 Fabricated Structural Metal, see Category 2)
- 35xx Industrial and Commercial Machinery and Computer Equipment
- 36xx Electronic and Other Electrical Equipment
- 37xx Transportation Equipment (except 373 Ship and Boat Building and Repair, see Category 2)
- 38xx Measuring, Analyzing, and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks

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- 39xx Miscellaneous Manufacturing Industries
- 4221 Farm Product Warehousing and Storage
- 4222 Refrigerated Warehousing and Storage
- 4225 General Warehousing and Storage

D. Facilities Subject to Stormwater Effluent Limitations Guidelines or Effluent Standards

Any part of a facility that has a stormwater discharge subject to stormwater Effluent Limitations Guidelines, or New Source Performance Standards (NSPS) Under 40 CFR Subchapter N, or Toxic Pollutant Effluent Standards under 40 CFR Subchapter D Part 129, must apply for NPDES permit coverage in an individual or industry-specific general permit for those stormwater discharges, and not for coverage under this permit.

Below is a list of categories of industries specified in 40 CFR Subchapter N for which at least one subpart includes stormwater effluent limitations guidelines, or NSPS. Industries included in this list should review the Subchapter N guidelines to determine if they are subject to a stormwater effluent limitation guideline for activities which they perform at their site.

- | | |
|-------------------------------------|--|
| 40 CFR 411 Cement manufacturing | 40 CFR 423 Steam electric power generating |
| 40 CFR 412 Feedlots | 40 CFR 434 Coal mining |
| 40 CFR 418 Fertilizer manufacturing | 40 CFR 436 Mineral mining and processing |
| 40 CFR 419 Petroleum refining | 40 CFR 440 Ore mining and dressing |
| 40 CFR 422 Phosphate manufacturing | 40 CFR 443 Paving and roofing materials (tars & asphalt) |

Below is a list of six (6) toxic pollutants which are limited by effluent standards in 40 CFR, Subchapter D, Part 129:

- | | |
|--------------------|-------------------------------------|
| a) Aldrin/Dieldrin | d) Toxaphene |
| b) DDT | e) Benzidine |
| c) Endrin | f) Polychlorinated Biphenyls (PCBs) |

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APPENDIX #2 - DEFINITIONS

303(d) Listed Waters – see Waterbody segments listed as Impaired - 303(d)

Air Emission means a release of air contaminants into the ambient air.

AKART is an acronym for “all known, available, and reasonable methods of prevention, control, and treatment.” AKART represents the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants and controlling pollution associated with a discharge.

Applicable TMDL means any TMDL which has been completed either before the issuance date of this permit or the date the permittee first obtains coverage under this permit, whichever is later.

Best Management Practices (BMPs - general definition) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. In this permit BMPs are further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

Benchmark means a pollutant concentration used by the permit as a threshold, below which a pollutant is considered unlikely to cause a water quality violation and above which it may. Benchmark values are not water quality criteria and site-specific conditions must still be considered to determine if an actual water quality violation exists.

Bypass means the diversion of waste streams from any portion of a treatment facility.

Capital Improvements means the following improvements which will require capital expenditures:

1. Treatment BMPs, including but not limited to: biofiltration systems including constructed wetlands; settling basins, oil/water separation equipment, and detention and retention basins.
2. Manufacturing modifications, including process changes for source reduction, if capital expenditures for such modifications are incurred.
3. Concrete pads and dikes and appropriate pumping for collection of stormwater and transfer to control systems, from manufacturing areas such as loading, unloading, outside processing, fueling and storage of chemicals, equipment, and wastes.
4. Roofs and appropriate covers for manufacturing areas.

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Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Combined Sewer means a sewer which has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

Constructed Wetland means wetlands intentionally created, on sites that are not natural wetlands, for the primary purpose of wastewater or stormwater treatment and managed as such. Constructed wetlands are normally considered as part of the stormwater collection and treatment system.

Construction Activity means clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, industrial buildings, and demolition activity.

Design Storm means the precipitation event that is used to design stormwater facilities. Refer to Ecology's Stormwater Management Manual for specific information on requirements for determining design storm volume and flow rate appropriate for designing stormwater treatment systems.

Design Storm Volume means the volume of runoff predicted to occur from a specified storm event. The storm event includes a time interval (e.g. 24-hours) and frequency (e.g. 6-month). Volume-based treatment BMPs use the design storm volume as their design basis. Refer to the Ecology Stormwater Management Manual for storm event and additional information.

Design Flow Rate means the flow rate at or below which a specified amount of the runoff volume will be treated. Flow rate-based treatment BMPs use the design flow rate (e.g. as estimated using an approved continuous runoff model) as their design basis. Refer to the Ecology Stormwater Management Manual to determine the appropriate flow rate and for additional information.

Detention means the temporary storage of stormwater to improve quality and/or to reduce the mass flow rate of discharge.

Director means the Director of the Washington Department of Ecology or his/her authorized representative.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Domestic Wastewater means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration or surface waters as may be present.

Ecology means the Washington State Department of Ecology.

Equivalent BMPs means operational, source control, treatment, or innovative BMPs which result in equal or better quality of stormwater discharge to surface water or to ground water than BMPs selected from the SWMM.

Equivalent Stormwater Management Manual means a manual that has been determined by Ecology as being equivalent to the SWMM.

Erosion means the wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep.

Erosion and Sediment Control BMPs means BMPs that are intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds. Erosion and sediment control BMPs are synonymous with stabilization and structural BMPs.

Erosion and Sediment Control Plan means a document which describes the potential for erosion and sedimentation problems, and explains and illustrates the measures which are to be taken to control those problems.

Existing Facility means a facility that was in operation prior to the effective date of this permit. It also includes any facility in that is not categorically included for coverage but is in operation when identified by Ecology as a significant contributor of pollutants.

Final Stabilization means the completion of all soil disturbing activities at the site and the establishment of a permanent vegetative cover, or equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) which will prevent erosion.

"40 CFR" means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Ground Water means water in a saturated zone or stratum beneath the land surface or a surface water body.

Illicit Discharge means any discharge that is not composed entirely of stormwater except discharges pursuant to a separate NPDES permit and discharges resulting from fire fighting activities.

Inactive Site means a facility which no longer engages in business, production, providing services, or any auxiliary operation.

Industrial Activity - See Appendix #1-Section A.

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Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application site, surface impoundment, injection well, or waste pile.

Land Application Site means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Leachate means water or other liquid that has percolated through raw material, product or waste and contains substances in solution or suspension as a result of the contact with these materials.

Listed Waters – see Waterbody segments listed as Impaired - 303(d)

Local Government means any county, city, or town having its own government for local affairs.

Municipality means a political unit such as a city, town or county; incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

New Facility means a facility that begins activities that result in a discharge or a potential discharge to waters of the state on or after the effective date of this general permit.

Noncontact Cooling Water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Notice of Intent (NOI) means the application for, or a request for coverage under this *General Permit* pursuant to WAC 173-226-200.

Notice of Termination (NOT) means a request for termination of coverage under this general permit as specified by Special Condition S11 of this permit.

Operational BMPs means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the state. Not included are BMPs that require construction of pollution control devices.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure and container from

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which pollutants are or may be discharged to surface waters of the state. This term does not include return flows from irrigated agriculture. (See Fact Sheet for further explanation.)

Pollutant means the discharge of any of the following to waters of the state: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, domestic sewage sludge (biosolids), munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the state; including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare; or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wild animals, birds, fish or other aquatic life.

Primary Activity means the activity at an industrial facility in which the facility is primarily engaged, such as principal product or group of products produced or distributed, or services rendered. The primary extent of the activity may be determined based on revenues, production rate, or number of employees.

Process Wastewater means any water which, during manufacturing or processing, comes into direct contact or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Puget Sound Basin means the Puget Sound south of Admiralty Inlet (including Hood Canal and Saratoga Passage); the waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border; and all the lands draining into these waters as mapped in Water Resources Inventory Areas numbers 1 through 19, set forth in WAC 173-500-040.

Regular Business Hours means those time frames when the facility is engaged in its primary production process, but does not include additional shifts or weekends when partial staffing is at the site primarily for maintenance and incidental production activities. Regular business hours do not include periods of time that the facility is inactive and unstaffed.

Sanitary Sewer means a sewer which is designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits, and is transported by, suspended in, or deposited by water.

Sedimentation means the depositing or formation of sediment.

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SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant Amount means an amount of a pollutant in a discharge that is amenable to available and reasonable methods of prevention or treatment; or an amount of a pollutant that has a reasonable potential to cause a violation of surface or ground water quality or sediment management standards.

Significant Contributor of Pollutant(s) means a facility determined by Ecology to be a contributor of a significant amount(s) of a pollutant(s) to waters of the state of Washington.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

Site means the land or water area where any "facility or activity" is physically located or conducted.

Source Control BMPs means physical, structural or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, constructing roofs over storage and working areas, and directing wash water and similar discharges to the sanitary sewer or a dead end sump.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

Stabilization means the application of appropriate BMPs to prevent the erosion of soils, such as, temporary and permanent seeding, vegetative covers, mulching and matting, plastic covering and sodding. See also the definition of Erosion and Sediment Control BMPs.

Storm Sewer means a sewer that is designed to carry stormwater. Also called a storm drain.

Stormwater means rainfall and snow melt runoff.

Stormwater Discharge Associated with Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to

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manufacturing, processing or raw materials storage areas at an industrial plant (see 40 CFR 122(b)(14)). It may also, on a case-by-case basis, include stormwater from any portion of an industrial site subject to pollutants of a significant amount.

Stormwater Drainage System means constructed and natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate or divert stormwater.

Stormwater Management Manual (SWMM) or Manual means the technical manual prepared by Ecology for stormwater management. For BMPs implemented prior to February 2001 it is the Stormwater Management Manual for the Puget Sound Basin published in 1992. For all facilities west of the crest of the Cascade Mountains as of February 1, 2002, it is the Stormwater Management Manual for Western Washington. The Stormwater Management Manual for Eastern Washington is the applicable SWMM for all facilities east of the crest of the Cascade Mountains as of November, 2004. It also applies to any future revision of the technical manuals as they become available.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

Surface Waters of the State includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

Treatment BMPs means BMPs that are intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, media filtration, and constructed wetlands.

Uncontrolled Sanitary Landfill means a landfill or open dump, whether in operation or closed, that does not meet the requirements for runoff and runoff controls established pursuant to subtitle D of the Solid Waste Disposal Act.

USEPA means the United States Environmental Protection Agency.

Water Quality means the chemical, physical, and biological characteristics of water, usually with respect to its suitability for a particular purpose.

Waterbody segments listed as Impaired - 303(d) means the specific segment or grid of a waterbody that was listed by the State as required under Section 303(d) of the Clean Water Act. The most current list of impaired waters is the applicable list.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW which include lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the state of Washington.

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APPENDIX 3 - ACRONYMS

BMP	Best Management Practice
CAS	Chemical Abstract Service
CERCLA	Comprehensive Environmental Response Compensation & Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
EPA	Environmental Protection Agency
ESC	Erosion and Sediment Control
FWPCA	Federal Water Pollution Control Act
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
RCRA	Resource Conservation and Recovery Act
RCW	Revised Code of Washington
SARA	Superfund Amendment and Reauthorization Act
SEPA	State Environmental Policy Act
SIC	Standard Industrial Classification
SMCRA	Surface Mining Control and Reclamation Act
SWMM	Stormwater Management Manual for the Puget Sound Basin
SWPPP	Stormwater Pollution Prevention Plan
USC	United States Code
USEPA	United States Environmental Protection Agency
WAC	Washington Administrative Code
WQ	Water Quality

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APPENDIX 4 – EXISTING DISCHARGERS TO IMPAIRED WATERBODIES

The list of dischargers identified as discharging to impaired water bodies and associated monitoring requirements can be viewed on Ecology's WEB site at:

<http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html> The most current list can also be obtained by contacting Ecology at:

Industrial Stormwater General Permit
Washington State Department of Ecology
P.O. Box 47696
Olympia, WA 98504-7600

Phone: (360) 407-6858
Fax: (360) 407-6426
E-mail: josm461@ecy.wa.gov

This list is based on the best information available to Ecology. There will be changes and updates to this list based on new, more accurate information. If changes or updates are made, Ecology will notify the affected permittees directly. Such changes or updates will not become effective until 30 days after the affected dischargers are notified.

This list is generated by comparing the discharge point of each individual discharger permitted under the Industrial Stormwater General Permit as of August 2004 with the 1998 list of impaired waters (the 303(d) list). The 1998 impaired waterbody list can be viewed at:
<http://www.ecy.wa.gov/programs/wq/303d/1998/1998-index.html>

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APPENDIX 5 – DISCHARGERS SUBJECT TO TMDL REQUIREMENTS

The list of dischargers identified as discharging to water bodies which have completed water quality clean-up plans or TMDLs and associated monitoring requirements can be viewed on Ecology's WEB site at: <http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html>

The most current list can also be obtained by contacting Ecology at:

Industrial Stormwater General Permit
Washington State Department of Ecology
P.O. Box 47696
Olympia, WA 98504-7600

Phone: (360) 407-6858
Fax: (360) 407-6426
E-mail: josm461@ecy.wa.gov

This list is based on the best information available to Ecology. There will be changes and updates to this list based on new, more accurate information. If changes or updates are made, Ecology will notify the affected permittees directly. Such changes or updates will not become effective until 30 days after the affected dischargers are notified.

This list was generated by comparing the discharge point of each individual discharger permitted under the Industrial Stormwater General Permit as of August 2004 with TMDLs which have been completed on or before the issuance date of permit (August 21, 2002). The list of completed TMDLs can be viewed at: http://www.ecy.wa.gov/programs/wq/tmdl/approved_tmdls.html

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S1.D.	Permit Application for Modification of Coverage	As necessary	
S4.	Discharge Monitoring Report	Quarterly	August 14, 2003
S5.E	Noncompliance Notification	As necessary	
S8.A.	Reporting Bypasses	As necessary	
G14.	Notice of Permit Transfer	As necessary	
G15.	Application for Permit Renewal	1/permit cycle	March 24, 2007

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. Who is Required to Have Coverage Under the Industrial Stormwater General Permit?

This is a statewide permit for facilities conducting industrial activities. Most industrial facilities that discharge stormwater to a surface waterbody or to a municipal storm sewer system require permit coverage. Coverage is required for private entities, state, and local government facilities. Existing and new facilities are required to have coverage. For a complete list of industrial categories identified for coverage, see below or Appendix 1-Section C of this permit. Facilities that do not find their SIC code listed should also read Special Condition S12, Determination of Primary Activity. Ecology can also require permit coverage of any facility on a case-by-case basis in order to protect waters of the state.

Except as provided for in special conditions S1.B. and S1.C., permit coverage is required for the following industrial activities if there is a stormwater discharge to a surface waterbody or a storm sewer system that discharges to a surface waterbody:

1. Facilities listed at 40 CFR Subpart 122.26(b)(14)(i-xi, excluding x), Stormwater Discharges; see Appendix #1-Section C, categories 1-9 and 11 for a listing of these facilities. Category 10, construction activities, is not included in this general permit.
2. Previously exempt facilities owned or operated by municipalities must obtain coverage by March 10, 2003. These facilities were not required to obtain coverage under the previous industrial stormwater general permit (special condition S2.F.1.) consistent with the Intermodal Surface Transportation and Efficiency Act (ISTEA) exemption. If they meet the criteria for coverage identified in this special condition, they now require coverage.
3. All facilities that are classified as Category 11, Light Industry, that have a discharge to surface water or to storm sewer that discharges to surface water, must apply for coverage or submit a certificate of "no exposure". This includes those light industry facilities that were not required to apply for coverage under previous releases of this permit because their industrial activities were completely under cover.
4. Facilities which are included in a group application [as described at 40 CFR Subpart 122.26(c)(2)] to USEPA, unless otherwise excluded under this special condition.
5. Any facility that has an existing NPDES discharge permit which does not address all stormwater discharges associated with industrial activity if required by 40 CFR Subpart 122.26(b)(14) to have a stormwater NPDES permit.
6. Any inactive industrial facility which is listed under 40 CFR Subpart 122.26(b)(14), and where significant materials remain on site and are exposed to stormwater.
7. Facilities listed in a. to c. below that have stormwater discharges subject to effluent limitation guidelines:

- a. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A.
- b. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart B.
- c. Stormwater discharge from coal storage piles.

B. When is Coverage under the Industrial Stormwater General Permit Not Required?

The types of facilities listed below are not required to obtain coverage. However, coverage is not categorically prohibited and these facilities may request coverage if applicable.

1. Industrial facilities that submit an application and qualify for a Conditional "No Exposure" Certificate. (see Special Condition S6. Conditional "No Exposure" Certificate for qualification requirements.)
2. Industrial facilities which discharge their stormwater only to a municipal combined sewer or sanitary sewer. Discharge of stormwater to sanitary or combined sewers shall only occur as authorized by the municipal authority responsible for that sewer.
3. Industrial facilities that discharge all of their stormwater to the ground and have no point source discharge to surface water or a municipal storm sewer unless determined to be a significant contributor of pollutants to ground water. Discharge to ground includes infiltration basins, dry wells, drain fields, and grassy swales. Facilities that discharge to a drywell, drainfield, or an infiltration system that uses perforated pipe to discharge to the subsurface must comply with the Underground Injection Control Program (UIC) regulations, 173-218 WAC.
4. Office buildings and/or administrative parking lots from which stormwater discharges are not commingled with stormwater discharges from areas associated with industrial activity unless determined to be a significant contributor of pollutants to waters of the state.
5. In accordance with 40 CFR 122.3(d), any part of a facility with a discharge which is in compliance with the instructions of an On-Scene-Coordinator pursuant to 40 CFR part 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) (Pollution by Oil and Hazardous Substances).
6. Any part of a facility with a stormwater discharge resulting from remedial action conducted by the USEPA or Ecology or a potentially liable/responsible person under an order, agreed order or consent decree issued under the Comprehensive Environmental Response, Compensation, and Liability Act. These facilities must still comply with the substantive requirements in this general permit determined by Ecology to be applicable, relevant and appropriate requirements under these laws.
7. Any land application site used for the beneficial use of industrial or municipal wastewater for agricultural activities at agronomic rates or for landscaping purposes.
8. Any farmland, domestic garden, or land used for sludge management where domestic sewage sludge (biosolids) is beneficially reused (nutrient builder or soil conditioner) and which is not physically located in the confines of domestic sewage

treatment works, or areas that are in compliance with Section 405 (Disposal of Sewage Sludge) of the CWA.

9. Any inactive coal mining operation if the performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Act (SMCRA) authority has been released.
10. Any inactive noncoal mining operation if released from applicable state or federal reclamation requirements after December 17, 1990. Any inactive noncoal mining operation which does not have a discharge of stormwater that comes in contact with any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of the facility.
11. Inactive mining, inactive oil and gas operations or inactive landfills where neither an owner nor an operator can be identified.

C. What Facilities are EXCLUDED from Coverage?

Ecology will not consider coverage for the following facilities or activities:

1. Except as identified in Special Condition S1.A.7., any part of a facility with a stormwater discharge subject to an Effluent Limitations Guideline, Toxic Pollutant Effluent Standard, or New Source Performance Standard addressing stormwater or a combination of stormwater and process water, (See Section D of Appendix #1). These facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.
2. Nonpoint source silvicultural activities with natural runoff as excluded in 40 CFR Subpart 122.27. This includes silvicultural nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance.
3. Facilities that are federally owned or operated or are on Tribal land, or facilities that discharge stormwater to receiving waters subject to water quality standards of Indian Tribes, including portions of the Puyallup River and other waters on trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians Reservation.
4. Any facility authorized to discharge stormwater under an existing NPDES individual or other general permit.
5. Construction activities as identified by 40 CFR Subpart 122.26(b)(14)(x) and Subpart 122.26(b)(15).

6. Facilities that discharge to a waterbody with a control plan¹ unless this general permit is adequate to provide the level of protection required by the control plan. Excluded facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.
7. Facilities that discharge to a waterbody listed pursuant to Section 303(d) of the Clean Water Act unless the Permittee can meet the requirements of special condition S3.D. Excluded facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.

D. Modification of Permit Coverage

Any facility with coverage under this general permit that intends to implement a significant process change, request an alternate sampling protocol, or add or modify a mixing zone must request a modification of coverage by submitting a revised application for coverage, clearly indicating the proposed change in accordance with the requirements of S2.B.

A significant process change is any modification of the facility that would:

- add different pollutants of a significant amount to the discharge, increase the pollutants in the stormwater discharge by a significant amount, or,
- add a new industrial activity (SIC) that was not previously covered; or
- add additional impervious surface or acreage such that stormwater discharge would be increased by 25% or more.

E. Coverage for Significant Contributors of Pollutants

This permit may also cover any facility discharging stormwater which Ecology determines to be a significant contributor of pollutants to waters of the state of Washington or may reasonably be expected to cause a violation of a water quality standard. Coverage may be required of facilities that are significant contributors of pollutants to ground water even though no discharge to surface water or storm sewer system exists. These determinations are made on a case-by-case basis, are actions subject to appeal as described by RCW 43.21B.230, and consider the following factors:

1. Potential of discharge to cause a violation of surface or ground water quality or sediment management standards,
2. Sensitivity of the receiving waterbody, and
3. Applicability of industrial stormwater general permit to reduce potential to pollute.

F. Coverage for Discharges to Ground Water

Stormwater discharges to ground will be regulated as part of permit coverage for all facilities under this permit. Permittee must also comply with any applicable

¹ Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other limitations that regulate or set limits on discharges to a specific waterbody or groundwater recharge area.

requirements for discharges to ground under the Underground Injection Control Program (UIC) regulations, 173-218 WAC.

S2. COVERAGE REQUIREMENTS

A. Who Is the Permittee?

The Permittee must have legal authority to manage the facility under the terms and conditions of this permit, including the authority to make capital improvements as necessary. The Permittee must have day-to-day operational control to assure compliance. The owner is the Permittee if they are also the operator of the industrial facility. If the owner and the operator (or tenant) of an industrial facility are not the same, the operator is typically the Permittee and the owner may choose to be a co-Permittee.

B. How Do I Obtain Coverage?

1. Facilities Currently Under Permit

Coverage will continue for all facilities with existing coverage under the industrial stormwater general permit (effective date November 18, 2000) unless otherwise notified by Ecology. This permit revokes and replaces the previous permit on the effective date of this permit. However, existing facilities must submit to Ecology by November 30, 2002, a completed identification of receiving waterbody and declaration of mixing zone form (form provided by Ecology).

2. Facilities with Applications Currently Pending

Applications for coverage under the previous permit that were received before the effective date of this permit but processing was incomplete will be processed for coverage under the reissued permit. Those with pending applications are not required to submit a new application. However, additional information will be required to complete processing including the identification of receiving waterbody and declaration of mixing zone form provided by Ecology and a copy of the stormwater pollution prevention plan (SWPPP).

3. New Facilities or Existing Facilities Not Under Permit Coverage

New facilities and existing facilities that do not already have permit coverage must submit Ecology's Industrial Stormwater General Permit Application for Coverage to obtain coverage. Unless not required under S1.B. or excluded under S1.C., all facilities that require a permit for the discharge of stormwater under S1.A. but are not already permitted for that discharge must submit an application for coverage to Ecology as follows:

a. Municipal Previously Exempt Facilities (ISTEA)

Those municipal facilities identified in S1.A.2. must submit an application for coverage:

- i. Facilities that existed before the effective date of this permit, September 20, 2002, shall submit an application for coverage by January 31, 2003. Public notice is not required.

- ii. Facilities that begin operation on or after the effective date of this permit shall submit an application for coverage by January 31, 2003 or at least 38 days before the commencement of the industrial activity. They shall comply with the requirements for new facilities (S2.B.3.c.)

b. Existing Facilities

Existing facilities are those facilities that were in operation before the effective date of this permit, September 20, 2002. Facilities that are in operation and identified for coverage as "significant contributors of pollutants", S1.E. are considered existing facilities. Facilities that had coverage but lost it because they failed to renew coverage as required by this permit, lost coverage as a result of failure to pay permit fees or other enforcement action, or who terminated coverage and then reapply for coverage will be considered "new" facilities. Existing facilities required under special condition S1.A. to have coverage but which failed to obtain coverage may be subject to enforcement action for discharging without a permit and shall complete public notice requirements for application for coverage. Existing facilities shall submit an application for coverage to Ecology within 30 days of notification by Ecology that coverage is required.

c. New Facilities

- i. All new industrial facilities must apply for coverage at least 38 days before the commencement of the industrial activity.
- ii. All new industrial facilities must have their stormwater pollution prevention plan completed and implemented before the commencement of the industrial activity. Completed means all SWPPP components that can be completed before operation are included in the SWPPP. Implemented applies to all BMPs identified in the SWPPP including those that require capital investment. The SWPPP must be submitted to Ecology with the application for coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
- iii. The applicant must comply with the State Environmental Policy Act (SEPA) before receiving permit coverage.
- iv. The applicant must complete public notice requirements before receiving permit coverage.

4. Facilities with Significant Process Change

Any facility anticipating a significant process change as identified in S1.D., Modification of Permit Coverage, must submit a completed application for coverage, marked as modification of coverage, as follows:

- a. The facility must apply for modification of coverage at least 38 days before implementing the significant process change.
- b. The applicant must complete public notice requirements before receiving modification of permit coverage.

- c. The facility must have their stormwater pollution prevention plan updated and implemented to reflect the change before commencement of the significant process change. The updated SWPPP must be submitted to Ecology with the application for coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
 - d. The applicant must comply with the State Environmental Policy Act (SEPA) as applicable to the proposed significant process change.
5. Add or Modify Mixing Zone
- Any Permittee submitting a request to add or modify a mixing zone must submit a completed application for coverage, marked as modification of coverage, as follows:
- a. The Permittee must apply for modification of coverage at least 38 days before a changed mixing zone can become effective.
 - b. The Permittee must complete public notice requirements before receiving modification of permit coverage.
 - c. Modification of coverage that includes an expanded mixing zone will not be effective until approved by Ecology.
6. Modify Sampling Protocol
- Any Permittee submitting a request to modify the permit sampling protocol for their facility must submit a completed application for coverage, marked as modification of coverage.
- a. The Permittee must submit a request detailing the proposed changes in sampling protocol with documentation on why the proposed changes are appropriate.
 - b. The Permittee must complete the public notice requirements.
 - c. The proposed changes will not become effective unless approved by Ecology.
7. Light Industry Previously Exempt
- Any category 11 facility, light industry (see Appendix 1), that was not required to apply for coverage under the "no exposure" provision in the previous permit must submit an application for coverage or an application for "no exposure" within three (3) months of the effective date of this permit.

C. Is There a Compliance Schedule for Developing and Implementing the SWPPP?

No compliance schedule is authorized under this permit for developing and implementing the stormwater pollution prevention plan except as identified below:

1. Permittees have until March 1, 2003 to complete the stormwater monitoring plan required under stormwater pollution prevention plan, S9.B.2.
2. For ISTEA existing facilities (S2.B.3.a.i.)
 - a. Unless otherwise authorized by Ecology in writing, the Stormwater Pollution Prevention Plan (SWPPP) must be completed and submitted to Ecology by

March 10, 2003. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.

- b. Unless otherwise authorized by Ecology in writing, implementation of non-capital best management practices (BMPs) must be completed by May 10, 2003. BMPs that require a capital investment must be completed by November 10, 2003 unless otherwise authorized by Ecology in writing.
3. For existing facilities not previously permitted (S2.B.3.b.)
- a. Unless otherwise authorized by Ecology in writing, the Stormwater Pollution Prevention Plan (SWPPP) must be completed and submitted to Ecology within 30 days of receiving coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
 - b. Unless otherwise authorized by Ecology in writing, implementation of non-capital best management practices (BMPs) must be completed within 90 days of receiving coverage. BMPs that require a capital investment must be implemented within nine (9) months of receiving coverage unless otherwise authorized by Ecology in writing.

D. What are Public Notice Requirements?

Public notice must be published once each week for two consecutive weeks (twice), at least seven days apart, in a newspaper of general circulation within the county in which the discharge is proposed. The public has up to 30 days after the second publication to comment on the proposal. At a minimum, public notice must include the following:

1. A statement that the applicant is seeking coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Industrial Activities;
2. The name, address and location of the facility where the proposed discharge would occur;
3. The name and address of the applicant if different from facility in 2. above;
4. A description of the type of business, description of areas from which a stormwater discharge will occur including acreage, and when industrial activities will begin;
5. A brief description of stormwater management activities that provide source control and treatment;
6. Whether application is for a new permit coverage or modification of existing permit coverage;
7. Identification of the waters that will receive the stormwater discharge and if a mixing zone is included;
8. Whether the facility has any other wastewater discharge permit; and
9. The statement: "Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the department's action on this application may notify the Department of Ecology in writing within 30 days of the

last date of publication of this notice. Comments shall be submitted to: Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696."

E. When Does Coverage Begin?

Ecology intends to notify applicants by mail of their status concerning coverage under this permit within 30 days of completion of all application requirements including compliance with SEPA and public notice requirements.

1. Except for an application that includes an expanded mixing zone or a modification of coverage to change a Permittee's sampling protocol, if the applicant does not receive notification from Ecology, coverage/modification of coverage under this permit automatically commences on the later of the following:
 - a. The thirty-first (31st) day following receipt by Ecology of a completed application for coverage;
 - b. The thirty-first (31st) day following the end of a thirty (30) day public comment period; or
 - c. The effective date of the general permit.
2. Additional time may be required to review the application:
 - if the application is incomplete, or
 - if Ecology requires additional site-specific information, or
 - if there is a request for a public hearing, or
 - if public comments are filed, or
 - when more information is necessary to determine whether coverage under the general permit is appropriate for a facility.

When additional time is required:

- a. Ecology will notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.
 - b. Ecology will submit the final decision to the applicant in writing. If the application for coverage/modification of coverage is approved, coverage begins the thirty-first (31st) day following approval.
3. The terms and conditions of this general permit, as they apply to an individual discharger, are appealable, within thirty days of the effective date of coverage or modification of coverage of that discharger. For those dischargers under permit on the effective date of this permit, the thirty day appeal period begins with the effective date of the general permit. The procedures and requirements for the appeal process are contained in RCW 43.21B.310.

4. If the applicant has an individual permit but applies for coverage under the general permit, the individual permit will remain in effect until terminated in writing by Ecology. However, an expired individual permit, pursuant to WAC 173-220-180(5), will terminate upon coverage by the general permit.

F. Does Coverage Preempt Local Government Requirements?

The Permittee must comply with local government requirements. Where the permit and local government requirements overlap, the most restrictive requirements shall be followed.

Facilities with stormwater discharge to a storm sewer operated by any of the following municipalities shall send a copy of their application for coverage to the appropriate municipality:

Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County.

G. Do I have to Reapply for Coverage When This Permit Expires?

Facilities that have coverage under the industrial stormwater general permit must reapply for coverage by submitting the Application for Renewal of Coverage at least 180 days before the specified expiration date of this permit.

S3. DISCHARGE LIMITATIONS

A. Authorized Stormwater Discharges

Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge stormwater to waters of the state. All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

B. Discharges Prohibited

Unless authorized by a separate NPDES or state waste discharge permit, the following discharges are prohibited.

1. The discharge of process wastewater is not authorized. *Process wastewater* means any water which, during manufacturing or processing comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Stormwater that commingles with process water becomes process water.
2. Illicit discharges are not authorized by this permit, nor does it relieve entities responsible for illicit discharges, including spills of oil or hazardous substances, from obligations under state and federal laws and regulations pertaining to those discharges.

C. Stormwater Discharges Subject to Effluent Guideline Limits

Stormwater discharges from the following facilities/activities are authorized subject to effluent limitations. The discharge of the pollutants at a level more than that identified and authorized by this permit for these facilities/activities shall constitute a violation of the terms and conditions of this permit.

1. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A

EFFLUENT LIMITATIONS FOR HAZARDOUS WASTE LANDFILLS		
Parameter	Average Monthly^a	Maximum Daily^b
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
BOD5	56 mg/L	220 mg/L
TSS	27 mg/L	88 mg/L
Ammonia	4.9 mg/L	10 mg/L
Alpha Terpineol	0.019 mg/L	0.042 mg/L
Aniline	0.015 mg/L	0.024 mg/L
Benzoic Acid	0.073 mg/L	0.119 mg/L
Naphthalene	0.022 mg/L	0.059 mg/L
p-Cresol	0.015 mg/L	0.024 mg/L
Phenol	0.029 mg/L	0.048 mg/L
Pyridine	0.025 mg/L	0.072 mg/L
Arsenic (total)	0.54 mg/L	1.1 mg/L
Chromium (total)	0.46 mg/L	1.1 mg/L
Zinc	0.296 mg/L	0.535 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

2. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445
Subpart B

Parameter	EFFLUENT LIMITATIONS FOR NON- HAZARDOUS WASTE LANDFILLS	
	Average Monthly ^a	Maximum Daily ^b
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
BOD5	37 mg/L	140 mg/L
TSS	27 mg/L	88 mg/L
Ammonia	4.9 mg/L	10 mg/L
Alpha Terpineol	0.016 mg/L	0.033 mg/L
Benzoic Acid	0.071 mg/L	0.12 mg/L
p-Cresol	0.014 mg/L	0.12 mg/L
Phenol	0.015 mg/L	0.026 mg/L
Zinc (total)	0.11 mg/L	0.20 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

3. Exposed Coal Piles Regardless of Facility Category

Parameter	EFFLUENT LIMITATIONS FOR COAL PILES	
	Average Monthly ^a	Maximum Daily ^b
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
Total Suspended Solids (TSS)	NA	50 mg/L
^a The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

D. Stormwater Discharges to Impaired Waterbodies Except 303(d) Listings for Sediment and Tissue

The Permittee's discharge must not cause or contribute to an excursion of the State's water quality standards, including the State's narrative criteria for water quality. For 303(d) listings based on numeric water quality criteria, Permittees must comply with the State's water quality standard for each pollutant named as a pollutant causing a violation of water quality standards at the location named on the State's 303(d) list except for temperature which is not required and fecal coliform which is only required if there is a potential source from the industrial activity. Ecology will not require monitoring for fecal coliform if the Permittee can document that there is no potential source of fecal coliform from any of their industrial activities. Permittees must be in compliance with any applicable Total Maximum Daily Load (TMDL) determination.

1. New Facilities and Significant Process Change

New facilities that discharge either directly or indirectly via a stormwater conveyance system to waters listed as impaired by the State under Section 303(d) of the Clean Water Act must comply with the State's water quality standards for the named pollutant(s) at the point of discharge. Facilities with coverage under this permit, that implement a significant process change (see S1.D.1.) must either comply with the State's water quality standards for the named pollutant(s) at the point of discharge or demonstrate no increase in loading from the entire facility as a result of the process change. All new discharges must be in compliance with any applicable TMDL determination.

PARAMETER	EFFLUENT LIMITATION FOR IMPAIRED WATERS
Parameter(s) as identified for the 303(d) listed segment or if applicable, TMDL determination	Based on Chapter 173-201A or as identified in the TMDL or listing documentation

2. Existing Facilities

Existing facilities that discharge either directly or indirectly via a stormwater conveyance system to waters listed as impaired by the State under Section 303(d) of the Clean Water Act must comply with the State's water quality standards for the named pollutant(s) at the point of discharge. Existing facilities subject to a TMDL determination must be in compliance with the conditions of the TMDL determination and detailed implementation plan.

PARAMETER	EFFLUENT LIMITATION FOR IMPAIRED WATERS
Parameter(s) as identified for the 303(d) listed segment or if applicable, TMDL determination	Based on Chapter 173-201A or as identified in the TMDL or listing documentation

If a Permittee discharging to waters listed under 303(d) fails to comply with the effluent limits above, the compliance schedule below immediately becomes applicable and shall be considered the applicable interim effluent limitations until compliance with water quality standards is achieved or a TMDL is completed. All required reports must be submitted annually or within 14 days of advancing to the next step of the compliance schedule, whichever is less. Eight consecutive samples that do not exceed the applicable water quality standard for the listed pollutant(s) will demonstrate compliance with water quality standards and allow the Permittee to exit the compliance schedule. When a TMDL is completed, the Permittee must comply with the TMDL determination.

	ACTION	COMPLETION DATE
Step 1.	Examine facility for potential sources of the pollutant(s) and identify source control and treatment options for the reduction of the pollutant(s). Implement any nonstructural source control options that have been identified. Include a full report of findings and actions taken in the SWPPP. Submit the report to Ecology and proceed to Step 2.	Complete Step 1 within one year after exceedence of effluent limitation for impaired waters.
Step 2.	Monitor for results. If monitoring results exceed the numeric effluent limits, go to Step 3. Otherwise continue monitoring. Report monitoring results and conclusions in the SWPPP and submit the report to Ecology.	After one year of monitoring, file first report. Submit an additional report for each subsequent year until completing a demonstration of compliance or Step 3 is required.
Step 3.	Implement structural source control options to reduce the level of pollutant(s) discharged. Include a report of actions taken in the SWPPP, submit the report to Ecology and proceed to Step 4.	Complete Step 3 within one year of advancing to Step 3.
Step 4.	Monitor for results. If monitoring results exceed the numeric effluent limits, go to Step 5. Otherwise continue monitoring. Report monitoring results and conclusions in the SWPPP and submit the report to Ecology.	After one year of monitoring, file first report. Submit an additional report for each subsequent year until completing a demonstration of compliance or Step 5 is required.
Step 5.	Implement treatment option to reduce the level of pollutant(s) discharged. Include a report on actions taken in the SWPPP and submit the report to Ecology.	Complete Step 5 within one year of advancing to Step 5.
Step 6.	Monitor for results. Document results in SWPPP and submit the report to Ecology.	Within two years after advancing to Step 5, file report.

E. Mixing Zone Descriptions

A mixing zone may be requested during application for coverage or through modification of coverage. The applicant/Permittee must complete the "Mixing Zone Applicability" portion of the application, demonstrating that they meet the applicability requirements listed below under S3.E.1. Mixing zone information must also be included in the public notice of the application for coverage/modification of coverage. The mixing zone is authorized when the application for coverage or modification of coverage becomes effective (see special condition S2, Coverage Requirements). Facilities under permit on the effective date of this general permit

(S2.B.1.) are not required to submit an application for modification of coverage to be eligible for the "standard" mixing zone (S3.E.2.) but must certify on the Identification of Receiving Waterbody and Declaration of Mixing Zone form that they meet the mixing zone applicability requirements listed below under S3.E.1.

1. A mixing zone is only applicable when:
 - a. The pollutant is not subject to 303(d) listing at the point of discharge to a listed segment/grid;
 - b. The receiving waterbody does not have a control plan² that would limit available dilution;
 - c. The facility has implemented all know available and reasonable methods of prevention, control and treatment (AKART) as identified below:
 - i. the facility has prepared and implemented a stormwater pollution prevention plan consistent with permit requirements
 - ii. all appropriate best management practices established for stormwater pollutant control associated with their industry as identified by Ecology's stormwater management manual have been applied to the discharge
 - d. The mixing zone does not have a reasonable potential to result in a loss of sensitive or important habitat, substantially interfere with the existing or characteristic uses of the waterbody, result in damage to the ecosystem, or adversely affect public health as determined by Ecology; and
 - e. The mixing zone does not create a barrier to the migration or translocation of indigenous organisms to a degree that has the potential to cause damage to the ecosystem.
2. The size of a standard mixing zone will conform to the following:
 - a. Streams and rivers: The mixing zone shall extend in the direction of the current from the point of discharge until there is complete mixing but not to exceed 300 feet.
 - b. Lakes: The mixing zone shall extend in any horizontal direction from the point of discharge 200 feet.
 - c. Estuaries: The mixing zone shall extend in any horizontal direction from the point of discharge 200 feet.
 - d. Oceanic: The mixing zone shall extend in any horizontal direction from the point of discharge 300 feet.

² Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other limitations that regulate or set limits on discharges to a specific waterbody or groundwater recharge area.

- e. Other: The mixing zone for any surface waterbody that is not covered above will be determined by Ecology.
3. The size of an expanded mixing zone must be defined by the applicant/Permittee and the applicant/Permittee must clearly demonstrate the requested mixing zone complies with the requirements of Chapter 173-201A WAC. The expanded mixing zone will only become effective if Ecology approves it in writing.
4. A mixing zone shall be automatically revoked when notified by Ecology that an Ecology site inspection determined the site does not meet the applicability requirements listed under S3.E.1.

F. General Prohibitions

All facilities must manage stormwater discharges to prevent the discharge of:

1. Synthetic, natural or processed oil or oil-containing products as identified by an oil sheen or
2. Floating materials

S4. MONITORING REQUIREMENTS

All facilities under this permit that discharge to surface water are required to conduct quarterly monitoring and sampling of stormwater as identified below. Facilities identified or covered as significant contributors of pollutants may be required to perform additional sampling and/or analysis as a condition of coverage. The Permittees must report their monitoring results for each quarter. The results of visual monitoring will be recorded in writing, signed according to General Condition G-17 and kept with the stormwater pollution prevention plan. The results of sampling and analysis will be submitted to Ecology. All monitoring reports will be retained for a minimum of five years, consistent with S5.B., Records Retention. If there is no discharge during the entire quarter, the Permittee must submit a report stating that no discharge occurred. If the Permittee was not required to conduct sampling and analysis based on consistent attainment of benchmark values, the Permittee must submit a report stating that sampling was not required based on consistent attainment. The quarters are defined as:

First Quarter:	January, February, March
Second Quarter:	April, May, June
Third Quarter:	July, August, September
Fourth Quarter:	October, November, December

A. Sampling Requirements

Stormwater must be sampled according to the instructions below unless the Permittee submits an alternative plan as a modification of coverage and it is approved by Ecology. The Permittee is not required to sample outside of regular business hours or during unsafe conditions. If a Permittee is unable to sample during a monitoring quarter they must submit an explanation with the monitoring report explaining why. Sampling of stormwater will be conducted as follows:

1. The Permittee may take a single grab sample, a time-proportionate sample, or a flow proportionate sample. All grab samples will be taken within the first hour after discharge begins. Time-proportionate and flow proportionate samples may be for a two hour period but must be started within the first 30 minutes after discharge begins.
2. All samples, except stormwater from coal piles, will be taken as close to the point of discharge as reasonably practical and can be achieved safely. Stormwater from coal piles must be sampled before the stormwater from the coal pile commingles with stormwater for other sources.
3. The storm event sampled must be at least 0.1 inches of rain in a 24-hour period.
4. The storm event sampled must be preceded by at least 24-hours of no measurable precipitation.
5. Sampling must be conducted to capture stormwater with the greatest exposure to significant sources of pollution. Each distinct point of discharge offsite must be sampled and analyzed separately if activities and site conditions that may pollute the stormwater are likely to result in discharges that will significantly vary in the concentration or type of pollutants. Where pollutant types do not vary, the Permittee may sample only the discharge point with the highest concentration of pollutants. However, the SWPPP must include documentation on how these determinations were made and in the description of each point of discharge, include the relative quantity (volume) of discharge and pollutants likely to be found.

If a sample is taken but one or more of the criteria listed above are not met, the Permittee may submit the sample results but must include an explanation with the monitoring report identifying what criteria were not met and why.

B. Exceptions to Sampling Requirements

1. Facilities that are inactive and unstaffed during an entire quarter must notify Ecology at the beginning of the inactive period. Sampling will typically not be required during the inactive and unstaffed period but may be required if conditions at the inactive site warrant it. Visual monitoring can only be suspended if authorized in writing by Ecology.
2. Sampling may be suspended for one or more parameters based on consistent attainment of benchmark values as described below. However, a facility that conducts a significant process change must continue monitoring and may not use previous monitoring to demonstrate consistent attainment. Visual monitoring is not suspended.
3. Stormwater sampling requirements under this provision, S4.A., may be modified by Ecology for facilities that have received an "extreme hardship fee reduction" under chapter 173-224 WAC. In addition to economic hardship, Ecology must also determine that stormwater from the site will pose no significant environmental risk. Qualifying facilities must submit a written request for relief to

Ecology. After receipt of the request, Ecology will conduct a site visit to evaluate whether stormwater runoff from the site constitutes a significant environmental risk. No reduction is authorized except through a written statement from Ecology that specifies the reduction that will be allowed. There will be no reduction in the visual monitoring requirements of this provision.

C. Monitoring Requirements for All Facilities

Beginning with the second quarter of the year 2003, all facilities must conduct quarterly monitoring of authorized discharges of stormwater. Facilities that discharge only to ground must complete visual monitoring but are not required to conduct sampling and analysis unless specified by an Order issued by Ecology. Monitoring of discharges to surface water shall consist of visual monitoring and stormwater sampling.

1. Visual Monitoring

Visual monitoring shall be done at least quarterly and must include observations made at stormwater sampling locations at the time of sampling. Discharge locations that are not sampled shall receive visual inspection at least annually during a storm event. Visual monitoring includes discharges to ground. Inspection shall include observations for the presence of floating materials, visible sheen, discoloration, turbidity, odor, etc. in the stormwater discharge(s). Visual monitoring shall assess the SWPPP BMPs required by this permit. The visual inspection shall be conducted by personnel named in the SWPPP to verify that the description of potential pollutant sources required under this permit is accurate; the site map as required in the SWPPP has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are implemented and adequate.

In addition to quarterly visual inspection during storm events, the Permittee shall conduct at least one dry season (July, August, September) inspection each year by personnel named in the SWPPP and after at least seven (7) consecutive days of no precipitation. The dry season inspection shall determine the presence of nonstormwater discharges such as domestic wastewater, noncontact cooling water, or process wastewater (including leachate) to the stormwater drainage system that are not authorized under this permit. It does not include inflow of ground water. If a nonstormwater discharge is discovered, the Permittee shall notify Ecology. The Permittee shall eliminate the illicit discharge within 30 days unless additional time is authorized in writing by Ecology.

2. Stormwater Sampling

Stormwater shall be sampled for the parameters listed in the following table. The Permittee may suspend stormwater sampling and analysis for turbidity, pH, zinc, and petroleum based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values are equal to or

less than the benchmark values. For pH equal to or less than the benchmark values means that the pH did not exceed 9 and was not less than 6. It is not necessary to test and report parameters that are required under other categories unless different sampling points are required (e.g. coal piles).

Benchmark values are not water quality standards and are not permit limits. They are indicator values. Values at or below benchmark are considered unlikely to cause a water quality violation.

The listed test methods are the EPA standard methods considered appropriate for the required test. Equivalent or superior test methods may be substituted by an accredited lab. All meters used onsite for sample analysis must be operated in accordance with the manufacturers' requirements and properly calibrated.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Turbidity	NTU	meter	25 NTU	Quarterly
pH	Standard Units	meter/litmus paper	6 – 9 SU	Quarterly
Total Zinc	µg/L	EPA 200.7	117 µg/L	Quarterly
Petroleum - Oil and Grease	mg/L	EPA 1664 or 1664A	15 mg/L	Quarterly

3. Additional Metal Sampling

If the value for total zinc exceeds the benchmark value for two consecutive quarters, beginning with the next sampling quarter the Permittee shall include analysis for copper and lead as defined below. Analysis for these parameters will be required for the remainder of the permit term unless the Permittee becomes eligible to suspend monitoring through consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported value for a parameter is equal to or less than the benchmark value. **Testing for hardness is not required for discharges to marine waters.**

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Total Copper	µg/L	EPA 200.7	63.6 µg/L	Quarterly
Total Lead	µg/L	EPA 200.7	81.6 µg/L	Quarterly
Hardness	mg/L	EPA 130.1 or 130.2	NA	Quarterly

D. Additional Monitoring Requirements by Industrial Group

In addition to the requirements above, beginning with the second quarter of the year 2003, all facilities identified by category below must conduct quarterly monitoring of authorized discharges of stormwater to surface water for the listed parameters. Stormwater sampling requirements under this provision, S4.B., may be modified by

Ecology for facilities that have received an "extreme hardship fee reduction" under chapter 173-224 WAC. In addition to economic hardship, Ecology must also determine that stormwater from the site will pose no significant environmental risk. Qualifying facilities must submit a written request for relief to Ecology. Ecology will conduct a site visit to evaluate whether stormwater runoff from the site constitutes a significant environmental risk. No reduction is authorized except through a written statement from Ecology that specifies what if any reduction will be allowed.

1. Timber Product Industry, Paper and Allied Products

This group includes industries identified by SIC codes 24xx except for 2434 (wood Kitchen Cabinets) and industries identified by SIC codes 26xx except for 265x (Paperboard Containers) and 267x (converted paper and paperboard products).

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	Quarterly

The Permittee may suspend stormwater sampling and analysis for BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported value for BOD5 is equal to or less than the benchmark value.

2. Air Transportation

This group includes industries identified by SIC codes 4512-4581, air transportation, that use more than 100,000 gallons of glycol-based deicing/anti-icing and/or 100 tons or more of urea on an average annual basis. Monitor ONLY those outfalls from the airport facility that collect runoff from areas where deicing/anti-icing activities occur. Sample 4 times during the period when deicing activities are occurring.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Ammonia*	mg/L	EPA 350.1	19 mg/L	4/Year
Nitrate/ Nitrite as N*	mg/L	EPA 353.1 or 353.2	0.68 mg/L	4/Year
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	4/Year

*required only if urea is applied

The Permittee may suspend stormwater sampling and analysis for ammonia, nitrate/nitrite, and BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with

no stormwater discharge is not counted) where the reported values for ammonia, nitrate/nitrite, and BOD5 are equal to or less than the benchmark value.

3. Chemical and Allied Products, Food and Kindred Products

This group includes industries identified by SIC codes 28xx and 20xx.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Nitrate/ Nitrite as N	mg/L	EPA 353.1 or 353.2	0.68 mg/L	Quarterly
Phosphorus (TP)	mg/L	EPA 365.1, 365.3 or SM 4500-PH/PI	2.0 mg/L	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	Quarterly

The Permittee may suspend stormwater sampling and analysis for nitrate/nitrite, total phosphorus, and BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for nitrate/nitrite, total phosphorus, and BOD5 are equal to or less than the benchmark value.

4. Primary Metals, Metals Mining, Automobile Salvage, Scrap Recycling, Metals Fabricating

This group includes facilities involved in the recycling of materials (includes metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards) and industries identified by SIC codes 10xx, 33xx, 34xx, 5015, 5093.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Copper	µg/L	EPA 200.7	63.6 µg/L	Quarterly
Lead	µg/L	EPA 200.7	81.6 µg/L	Quarterly
Hardness	mg/L	EPA 130.1	NA	Quarterly

The Permittee may suspend stormwater sampling and analysis for copper and/or lead, based on consistent attainment of benchmark values. If all metals monitoring is suspended, monitoring for hardness is also suspended. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values are equal to or less than the benchmark value. Testing for hardness is not required for discharges to marine waters.

E. Additional Requirements for Facilities With Limits Based on EPA Effluent Guidelines

In addition to the requirements in S4.A. above, beginning with the second quarter of the year 2003, all facilities identified by category below must conduct quarterly

monitoring of authorized discharges of stormwater to surface water for the listed parameters.

1. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	Quarterly
TSS	mg/L	EPA 160.2	Quarterly
Ammonia	mg/L	EPA 350.1, 350.2, or 350.3	Quarterly
Alpha Terpineol	mg/L	EPA 8270	Quarterly
Aniline	mg/L	EPA 8131	Quarterly
Benzoic Acid	mg/L	EPA 8270	Quarterly
Naphthalene	mg/L	EPA 610, 625, or 1625	Quarterly
p-Cresol	mg/L	EPA 8270	Quarterly
Phenol	mg/L	D4763	Quarterly
Pyridine	mg/L	EPA 8270	Quarterly
Arsenic (total)	mg/L	EPA 200.7	Quarterly
Chromium (total)	mg/L	EPA 200.7	Quarterly
Zinc	mg/L	EPA 200.7	Quarterly

2. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart B

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	Quarterly
TSS	mg/L	EPA 160.2	Quarterly
Ammonia	mg/L	EPA 350.1, 350.2, or 350.3	Quarterly
Alpha Terpineol	mg/L	EPA 8270	Quarterly
Benzoic Acid	mg/L	EPA 8270	Quarterly
p-Cresol	mg/L	EPA 8270	Quarterly

Parameter	Units	Analytical Method	Minimum Sampling Frequency
Phenol	mg/L	D4763	Quarterly
Zinc (total)	mg/L	EPA 200.7	Quarterly

3. Coal Piles (at any facility)

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
TSS	mg/L	EPA 160.2	Quarterly

F. Monitoring Requirements for Facilities Discharging to 303(d) Listed Waters or Subject to TMDL Determination Except 303(d) Listings for Sediment and Tissue

In addition to the requirements in S4.A. above, beginning with the second quarter of the year 2003, all facilities that discharge to waters listed as impaired by the State under Section 303(d) of the Clean Water Act must conduct quarterly monitoring of authorized discharges of stormwater to surface water. Samples must be analyzed for the parameters named on the 303(d) as causing impairment of the listed waters except for temperature which is not required and fecal coliform which is only required if there is a potential source from the industrial activity. Discharges to a waterbody for which a TMDL has been completed must be consistent with the TMDL determination. Where the TMDL determination sets load allocations for new discharges or limits pollutant concentrations in the discharge, the Permittee must conduct monitoring for the named pollutant(s) and the monitoring must be consistent with TMDL requirements, if any. Reporting as required by this permit should begin with the second quarter of the year 2003. Permittees may suspend monitoring for a listed parameter if:

1. eight consecutive quarterly samples fail to detect the presence of the listed parameter. Fail to detect does not apply to pH. For pH it is eight consecutive quarters where the values are not outside of the water quality-based range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine).
2. subject to Ecology approval, the Permittee can demonstrate after eight or more consecutive quarterly samples that there is no reasonable potential to violate water quality standards.

Parameter	Units	Analytical Method	Minimum Sampling Frequency
Parameter(s) as identified for the 303(d) listed segment or TMDL	As Applicable	Appropriate EPA or Equivalent Method	Quarterly or as required by TMDL

G. Monitoring Requirements for Facilities Discharging to 303(d) Waters Listed for Sediment

All facilities that discharge to waters listed for sediment must notify Ecology of any sediment data they may have collected. Upon request from Ecology they will submit the data.

In addition to the requirements in S4.A. above, beginning with the second quarter of the year 2003, all facilities that discharge to waters listed by the State for violations of sediment standards under Section 303(d) of the Clean Water Act must conduct quarterly monitoring of authorized discharges of stormwater to surface water for total suspended solids (TSS). Discharges that demonstrate TSS levels consistent with secondary treatment standards (30 mg/L monthly average not to exceed 45 mg/L) are considered unlikely to violate sediment quality standards. Permittees that can demonstrate consistent attainment TSS levels of secondary treatment standards may suspend monitoring for the duration of the permit term. Consistent attainment is defined as 8 consecutive quarterly samples (omitting any quarter where there is no discharge) with an average TSS of 30 mg/L and no sample exceeding 45 mg/L.

H. Analytical Procedures for Monitoring Requirements

Analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Ecology).

I. Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement. Conductivity, pH, and turbidity shall be accredited if the laboratory must be registered or accredited for any other parameter. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

S5. REPORTING AND RECORDKEEPING REQUIREMENTS

Unless referring to a specific permit requirement (e.g. reporting sampling results), the following conditions apply to all records and reports required by this permit. The falsification of information submitted to Ecology shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins in the second quarter of 2003. Monitoring results must be submitted quarterly. Monitoring data obtained during each monitoring period

must be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology. Permittees are authorized and encouraged to use electronic submission when an official Ecology electronic DMR form becomes available. DMR forms may be submitted any time after completing the required monitoring each quarter but must be sent to or filed electronically with Ecology within 45 days following the end of the reporting period.

First Quarter	Not later than May 15
Second Quarter	Not later than August 14
Third Quarter	Not later than November 14
Fourth Quarter	Not later than February 14

If you are unable to submit discharge monitoring reports electronically, you may submit printed reports to Ecology's headquarters' office:

Industrial Stormwater Permit Manager
Department of Ecology
Water Quality Program
PO Box 47696
Olympia, Washington 98504-7696

All laboratory reports providing data for organic and metal parameters must include the following information: sampling date, sample location (may use SWPPP identifier), date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. These records must be maintained onsite and are not submitted to Ecology unless requested.

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. Discharge monitoring forms must also be submitted quarterly if monitoring has been suspended as a result of consistent attainment of benchmark values. If there was no discharge during a given monitoring period, submit the form electronically or by mail marking the "no discharge" check box. If you have suspended monitoring based on consistent attainment, submit the form electronically or by mail marking the "consistent attainment" check box.

B. Records Retention

The Permittee shall retain records of all monitoring information, inspection reports, and any other documentation of compliance with permit requirements for a minimum of five (5) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S4. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit that could result in the discharge of pollutants in a significant amount, the Permittee shall:

1. Immediately take action to minimize potential contamination or otherwise stop the noncompliance and correct the problem.
2. Immediately notify the appropriate Ecology regional office of the failure to comply.
3. Submit a detailed written report to Ecology within thirty [30] days unless Ecology requests an earlier submission. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S6. CONDITIONAL "NO EXPOSURE" CERTIFICATE

Any industrial activity identified for coverage under S1.A.1. may submit a "no exposure" form in lieu of an application for coverage if they meet the criteria for "no exposure". Submission may be by hard copy form or by electronic submission using the official Ecology form.

- A. The facility must completely fill out and submit the "no exposure" form provided by Ecology.
- B. The facility must retain a signed copy of the completed "no exposure" form on-site.
- C. The facility must meet the following minimum conditions:

1. All areas where industrial materials and activities occur must be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.
 2. The "no exposure" determination must apply to the entire facility and cannot apply just to individual outfalls.
 3. The facility's stormwater discharge has no reasonable potential to cause or contribute to a violation of applicable water quality standards.
 4. Stormwater is not subject to significant levels of pollutants from impervious surfaces such as copper or zinc from some roof surfaces.
 5. Impervious surface added to achieve a "no exposure" determination must not result in adverse flow impacts on the receiving water.
 6. There must be no previous site contamination that can be mobilized by stormwater.
- D. A conditional "no exposure" determination is granted 60 days after submitting the form to Ecology unless Ecology responds in writing. Ecology may deny "no exposure" status, require additional information, or specify additional time for review of the request for "no exposure" status. The "no exposure" certificate is conditional on having and maintaining a status of "no exposure" as defined above (S6.C.).
- E. A "no exposure" determination does not void General Condition G3., Right of Entry, of this permit.
- F. "No exposure" must be reauthorized by submitting a new "no exposure" form every five (5) years or within thirty (30) days of the effective date of reissuance of the industrial stormwater general permit, whichever comes first.
- G. If changes at a facility will result in exposure of industrial activities or materials, the "no exposure" exclusion ceases to apply as soon as those changes occur. You must apply for stormwater permit coverage under an applicable NPDES permit for stormwater discharges at least thirty-eight days before implementing changes that would result in exposure.

S7. COMPLIANCE WITH STANDARDS

Permittees must comply with Washington State surface water quality standards (Chapter 173-201A WAC), sediment management standards (Chapter 173-204 WAC), ground water quality standards (Chapter 173-200 WAC), and human health-based criteria in the national Toxics Rule (federal Register, Vol. 57, No. 246, Dec. 22, 1992, pages 60848-60923). Compliance with standards applies to all discharges except for the implementation time provided to existing facilities with first time coverage as identified in S2.B.

Compliance with surface water quality standards means that stormwater discharges by a facility with permit coverage will not cause or contribute to a violation of water quality standards in the receiving water.

- A. The receiving water is the waterbody at the point of discharge. If the discharge is to a stormwater conveyance system, either surface or subsurface, the receiving water is the waterbody that the stormwater conveyance system discharges to. Systems designed primarily for other purposes such as for groundwater drainage or for conveyance of irrigation water/return flows that coincidentally convey stormwater are considered the receiving water and not a stormwater conveyance system.
- B. Ecology will apply a mixing zone where one is authorized and consistent with Special Condition S3.E. Compliance with numerical surface water quality standards shall be determined after consideration of available dilution.
- C. Where a mixing zone is not allowed, stormwater discharges must comply with surface water quality standards at the point of discharge to the receiving water or to the stormwater conveyance system for those systems that do not discharge directly to the receiving water.
- D. For the purposes of this permit, all references and requirements associated with Section 303(d) of the Clean Water Act shall use the most current listing by Ecology of impaired waters.

S8. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited for stormwater events below the approved design criteria for stormwater management. The Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, 3 or 4) is applicable.

- 1. Bypass of stormwater is consistent with the design criteria and part of an approved management practice in the applicable stormwater management manual.
- 2. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health.

3. Bypass of Stormwater is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

This bypass is permitted only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- b. A severe storm event overwhelms properly designed and maintained stormwater management systems and there are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
- c. The Department is properly notified of the bypass as required in condition S5E of this permit.

4. A Planned Action That Would Cause Bypass of Stormwater and has the Potential to Result in Noncompliance of this Permit During a Storm Event The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

B. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S9. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

All facilities covered under this permit must have a Stormwater Pollution Prevention Plan (SWPPP) specifically developed for their facility. The SWPPP must be consistent with permit requirements, fully implemented as directed by permit conditions, and updated as necessary to maintain compliance with permit conditions. New facilities must have a SWPPP developed and implemented before beginning operation. However, some components of a SWPPP are added over time (e.g. results of dry and wet weather inspections) and cannot be included in the first SWPPP. The Permittee must update the SWPPP as required by permit conditions.

A. General Requirements

The Permittee shall retain the SWPPP on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology. If discharge is to a municipal storm sewer system, the municipal operator of the storm sewer system shall also have access to the SWPPP. The responsible party as identified in General Condition G17, Signatory Requirements, shall sign the SWPPP and significant updates.

1. Illicit Discharges:

The SWPPP shall include measures to identify and eliminate the discharge of process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges, to stormwater drainage systems, or to surface waters of the state of Washington.

2. Ecology Request:

Ecology may request a current copy of or update to the stormwater pollution prevention plan (SWPPP). The Permittee must submit their SWPPP/update to Ecology within two (2) weeks of receiving the request or at a later date if approved by Ecology.

3. Public Access:

Ecology will maintain a copy of the SWPPP for each industrial facility at the appropriate Ecology regional office. The public may view a copy of a Permittee's SWPPP at the Ecology regional office.

4. Enhanced/Additional Best Management Practices (BMPs):

The Permittee shall provide a schedule in the SWPPP for implementation of any additional or enhanced BMPs that are necessary because of a notice from Ecology, facility changes, or self-inspection. Unless otherwise authorized by Ecology in writing, a schedule for implementation (plan) must be completed and entered into the SWPPP within 30 days of a notice/determination of necessary improvements. BMPs identified in the plan must be implemented with due diligence. Unless otherwise authorized by Ecology in writing, noncapital BMPs shall be completed within two weeks after completing the plan and capital BMPs within six months. Enhanced/additional BMPs will comply with Special Condition S9.A.5. below. Complying with this provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where stormwater discharges violate water quality standards.

Ecology may issue a notice to the Permittee when the SWPPP does not meet one or more of the minimum requirements of Special Condition S9 or when it is not adequate to assure compliance with standards. The Permittee shall modify the SWPPP and the BMPs to correct the deficiencies identified in the notice.

Ecology may require additional BMPs based on the current SWMM where the Permittee exceeds benchmark values for required sampling.

The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.

This permit requires the Permittee to conduct visual monitoring and this monitoring may identify BMPs that are inadequate or pollutant sources that are not identified or poorly described in the SWPPP. When visual monitoring identifies inadequacies in the SWPPP, due to the actual discharge of or potential to discharge a significant amount of any pollutant, the SWPPP must be modified and BMPs adjusted to correct the deficiency.

5. Applicability of Current and Future Editions of the Stormwater Management Manual (SWMM):

The Stormwater Management Manual for Western Washington is the applicable SWMM for all facilities west of the crest of the Cascade Mountains as of February 1, 2002. The Stormwater Management Manual for Eastern Washington will become available sometime after the effective date of this permit. Facilities east of the crest of the Cascade Mountains shall use the western Washington manual as applicable or other appropriate manuals until the eastern Washington edition is available.

New facilities shall apply the minimum technical requirements and BMPs appropriate for their facility as found in the most recent published edition of the SWMM or other equivalent manuals that are available when selecting BMPs for their facility.

Existing facilities are not required to redo their SWPPP and BMPs to incorporate changes to BMPs that were designed and implemented according to an earlier version of the SWMM. However, existing facilities shall apply the applicable technical standards and BMPs as found in the most recent published edition of the SWMM, or other equivalent manuals, that are available when updating their SWPPP to accommodate changes at their facility or when additional BMPs are required to maintain compliance with permit conditions.

Facilities undergoing new development or redevelopment will apply the applicable minimum requirements of the appropriate, most current SWMM available when beginning final design of the project to the development site.

6. Other Pollution Control Plans:

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit and must meet the availability requirements of the SWPPP (see S9.A., S9A.2. and 3.). A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.

B. SWPPP Contents and Requirements

The SWPPP shall contain a detailed assessment of the facility and a detailed description of the best management practices (BMPs).

1. Facility Assessment:

The facility assessment must include a description of the facility, a detailed site map, an inventory of facility activities and equipment that contribute to or have the potential to contribute pollutants to stormwater, and an inventory of materials that contribute to or have the potential to contribute pollutants to stormwater. The assessment must be as complete as possible (including incidental sources such as tire wear or equipment leaks) and must be updated to reflect substantive changes

at the facility. The SWPPP must address each potential pollutant source of a significant amount with best management practices that will eliminate or reduce the potential to contaminate stormwater through source control or treatment.

- a. **Facility Description:** The facility description will describe the industrial activities conducted at the site, the general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility. It should include seasonal variations including peaks in production and any changes in work based on season or weather (e.g. moving work outdoors on dry days).
- b. **Site Map:** The site map must be drawn to an identified scale or include relative distances between significant structures and drainage systems. It must provide identifiers (names) of significant features and be of sufficient size and detail to identify the following: The site map will show the stormwater drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to ground water), paved areas and buildings, areas of pollutant contact (actual or potential), surface water locations (including wetlands and drainage ditches), areas of existing and potential soil erosion (in a significant amount) and vehicle service areas;

Lands and waters adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

- c. **Industrial Activities:** The inventory of industrial activities will identify all areas associated with industrial activities (see Appendix #1-Section A) which have been or may potentially be sources of significant amounts of pollutants, including the following:
 - i) Loading and unloading of dry bulk materials or liquids.
 - ii) Outdoor storage of materials or products.
 - iii) Outdoor manufacturing and processing.
 - iv) Dust or particulate generating processes.
 - v) Roofs or other surfaces exposed to air emissions from a manufacturing building or a process area.
 - vi) On-site waste treatment, storage or disposal.
 - vii) Vehicle and equipment fueling, maintenance and/or cleaning (includes washing).
 - viii) Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g. galvanized or copper roofs).

- d. **Inventory of Materials:** The inventory of materials will list all the types of materials handled at the site that potentially may be exposed to precipitation or runoff and could result in stormwater pollution of a significant amount. The inventory will include a short narrative for each material describing the potential of the pollutant to be present in stormwater discharges. The Permittee will update this narrative when data become available to verify the presence or absence of these pollutants. The inventory will include a narrative description of any potential sources of pollutants of a significant amount from past activities; significant materials that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. Include the method and location of on-site storage or disposal; and a list of significant spills and significant leaks of toxic or hazardous pollutants.
2. **Monitoring Plan:** The SWPPP will include a monitoring plan. The plan must identify all the points of discharge to surface water or to a storm drain system. If there is more than one point of discharge then the plan must include a discussion of representative sampling and how the Permittee has determined which points of discharge will be monitored. The discussion must include a means to estimate of the volume/rate of discharge from each discharge point based on storm duration, intensity and quantity, differences in exposure to pollutants, pollutants likely to be in each discharge and a relative comparison of probable pollutant concentrations. The plan must identify who is responsible for monitoring and how monitoring will be conducted to comply with permit conditions. The monitoring plan will address stormwater sampling requirements and visual inspections. The plan must include the following:
 - a. Identification of points of discharge
 - b. A check list for visual monitoring
 - c. Who conducts stormwater sampling
 - d. Where samples will be taken
 - e. Parameters for analysis
 - f. Procedures for sample collection and handling
 - g. Procedures for sending samples to lab
 - h. Procedure for submitting results to Ecology
3. **BMPs:** The SWPPP apply Ecology's stormwater management manual and include a description of the best management practices (BMPs) that are necessary for the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must also be considered to regulate peak flow and volume of stormwater discharge. BMPs shall be included to comply with the following requirements:

- a. **Operational Source Control BMPs:** Operational BMPs are common to all facilities. The categories listed below are a minimum set of BMPs that must be included in the SWPPP.
- i) Pollution Prevention Team: The SWPPP will include a BMP that identifies specific individuals by name or by title within the plant organization who are responsible for developing the SWPPP and assisting the plant manager in its implementation, maintenance, and modification. The activities and responsibilities of the team should address all aspects of the facility's SWPPP.
 - ii) Good Housekeeping: The SWPPP will include a BMP(s) that defines ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges. The SWPPP will include the schedule/frequency for completing each housekeeping task.
 - iii) Preventive Maintenance: The SWPPP will include a BMP(s) to inspect and maintain the stormwater drainage and treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater. The SWPPP will include the schedule/frequency for completing each maintenance task.
 - iv) Spill Prevention and Emergency Cleanup Plan: The SWPPP will include BMP(s) to identify areas where potential spills can contribute pollutants to stormwater discharges. The BMP(s) must specify material handling procedures, storage requirements, cleanup equipment and procedures as appropriate. It must be at least equivalent to BMP S1.80 (SWMM Volume IV, Spill Emergencies) in Ecology's SWMM. The SWPPP may include excerpts of plans prepared for other purposes (e.g., Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA), where those excerpts meet the intent of this requirement.
 - v) Employee Training: The SWPPP will include a BMP(s) to provide SWPPP training for employees who have duties in areas of industrial activity subject to this permit. At a minimum, training shall include an overview of what is in the SWPPP and how employees make a difference in complying with the SWPPP and preventing contamination of stormwater. The training must address spill response procedures, good housekeeping, and material management practices. The BMP(s) must provide the content of the training, how training will be conducted and the frequency/schedule for assuring employees receive training. Annual training is the minimum acceptable frequency. A log of the dates on which specific employees receive training shall be kept and included in the SWPPP.

- vi) Inspections and Recordkeeping: The SWPPP will include documentation of procedures to assure compliance with permit requirements for inspections and recordkeeping. At a minimum it will:
- identify plant personnel who will inspect designated equipment and plant areas as required in Special Condition S4, Monitoring Requirements,
 - provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual monitoring,
 - define how Permittee will comply with signature requirements and records retention identified in Special Condition S5, Reporting and Recordkeeping Requirements, and
 - include certification of compliance with the SWPPP.
- b. **Structural Source Control BMPs**: Structural source control BMPs must be provided to eliminate or minimize the exposure of stormwater to pollutants. Volume IV of Ecology's SWMM provides useful information for source control BMPs for different industrial activities. Those BMPs listed as "applicable" are considered the minimum set of required BMPs for an industrial activity. Equivalent BMPs may be selected which result in equal or better quality of stormwater discharge.
- c. **Treatment BMPs**: Treatment BMPs are required when operational and source control BMPs are not adequate to reduce pollutants below a significant amount and maintain compliance with water quality standards. At a minimum the SWPPP must include a narrative that describes how the Permittee determined if treatment BMPs are/are not required. When treatment BMPs are required, refer to the Ecology SWMM, Volume V, or equivalent manual, for guidance on selecting treatment BMPs.
- d. **Stormwater Peak Runoff Rate and Volume Control BMPs**: Flow control BMPs are required for new development or redevelopment as defined in Ecology's SWMM, Volume I. At a minimum, the SWPPP must include a narrative that describes how the Permittee determined if flow control BMPs are/are not required. Where required, the SWPPP shall include appropriate BMPs from Volumes I and III of Ecology's SWMM or equivalent manuals.
4. **Erosion and Sediment Control BMPs**: All facilities must evaluate the risk of soil erosion on their site that could contaminate stormwater. At a minimum the SWPPP must include a narrative that describes if there is reasonable potential for soil erosion of a significant amount at the site. Where reasonable potential exists, the Permittee must include BMPs to prevent or minimize the potential for soil erosion on-site. When required, BMPs shall be selected from BMPs in Volumes II and III of Ecology's SWMM or equivalent manuals.

5. **Other BMPs:** Nothing in Special Condition S9. of this permit is intended to preclude the application of innovative treatment, source control, reduction or recycle, or operational BMPs that are not identified in Ecology's SWMM. The Permittee may substitute equivalent/superior BMPs for those listed in Ecology's SWMM but must document the basis for the substitution in the SWPPP and the Permittee assumes the liability if the BMPs are not equivalent/superior to the SWMM. Additional BMPs beyond those identified in Ecology's SWMM could be necessary to achieve compliance with standards. However, treatment BMPs that include the addition of chemicals to provide treatment must be approved by Ecology before implementation.

S10. SOLID AND LIQUID WASTE DISPOSAL

Disposal of waste materials from maintenance activities, including liquids and solids from cleaning catch basins and other stormwater facilities, shall be conducted in accordance with the Minimum Functional Standards for Solid Waste Handling, Chapter 173-304 WAC, and where appropriate, the Dangerous Waste Regulations, Chapter 173-303 WAC.

S11. NOTICE OF TERMINATION (NOT)

- A. The Permittee(s) may submit a Notice of Termination as prescribed by Ecology and signed in accordance with General Condition G17. of this permit. A Notice of Termination is appropriate when one or more of the following conditions are met:
 1. All permitted stormwater discharges associated with industrial activity that are authorized by this permit cease because the industrial activity has ceased, and no significant materials or industrial pollutants remain exposed to stormwater.
 2. The party that is responsible for permit coverage (signatory to application) sells or otherwise legally transfers responsibility for the industrial activity.
 3. All permitted stormwater discharges associated with industrial activity that are authorized by this permit cease because the stormwater is redirected to sanitary sewer.
 4. The Permittee applies for and receives a conditional certificate of no exposure.

A transmittal letter, which provides a brief description of the circumstances warranting termination of permit coverage, shall be included with the NOT submission.

- B. The Permittee may transfer permit coverage to a new owner/operator. Permittee must meet the conditions of General Condition G14., Permit Transfer.

S12. DETERMINATION OF PRIMARY ACTIVITY

For the purpose of requiring stormwater discharge permit coverage Ecology may determine the primary activity of any facility based on the activities taking place at the facility regardless of the SIC code of its ownership or parent company. Permit coverage may be required if the primary activity is listed among the industrial SIC categories in Appendix #1-Section C.

S13. DISPUTE RESOLUTION

Ecology encourages parties that disagree with an Ecology action taken under this permit, to contact Ecology and set up a process to resolve the issues. Actions taken by Ecology may also be appealed through the procedures established under RCW 43.21B.310.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of that authorized by this general permit shall constitute a violation of the terms and conditions of this general permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G3. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records shall be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that shall be kept under the terms of this permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in this permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G4. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any *discharger* authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A. Violation of any term or condition of this permit;
- B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
- C. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
- D. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;

- E. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
- F. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G5. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G6. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G5. above, or 40 CFR 122.62 shall report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. Ecology may then require submission of a new application for coverage under this, or another general permit, or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

G7. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G8. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G9. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G10. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order³ or permit modification.

G11. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G12. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater shall not be resuspended or reintroduced for discharge to State waters.

G13. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under the industrial stormwater general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to the industrial stormwater general permit, the applicability of the industrial stormwater general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G14. PERMIT TRANSFER

Coverage under this permit is automatically transferred to a new owner or operator if:

- A. The type of industrial activities and practices are substantially unchanged;

³ Ecology's determination to issue an Order to increase monitoring frequency is an appealable action under RCW 43.21B.310.

- B. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology;
- C. A copy of this permit is provided to the new owner; and
- D. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

G15. DUTY TO REAPPLY

The Permittee shall reapply for coverage under this permit, at least, one hundred and eighty (180) days prior to the specified expiration date of this permit. An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

G16. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

G17. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to Ecology shall be signed and certified.

- A. In the case of a municipal, State or other public facility, all permit applications shall be signed by a principal executive officer or ranking elected official. In the case of a corporation, partnership, or sole proprietorship, all permit applications shall be signed by either a principal executive officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by Ecology shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G18. APPEALS

The terms and conditions of the industrial stormwater general permit are subject to appeal. There are two different appeal categories.

- A. The permit terms and conditions as they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of the industrial stormwater general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. The applicability of the permit terms and conditions to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of the industrial stormwater general permit coverage of an individual discharger is limited to the applicability or non-applicability of the industrial stormwater general permit to that same discharger. Appeal of this permit coverage of an individual discharger will not affect any other individual dischargers. If the terms and conditions of the industrial stormwater general permit are found to be inapplicable to any

discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G19. SEVERABILITY

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

APPENDIX #1**A. Edited Version of 40 CFR Subpart 122.26(b)(14)**

"Stormwater discharge associated with industrial activity" means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR Part 122. For the categories of industries identified in subparagraphs (1) through (10) below, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters [as defined at 40 CFR Subchapter N (Effluent Guidelines and Standards) Part 401 (General Provisions)]; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

For the categories of industries identified in subparagraph (11), the term includes only stormwater discharges from all the areas (except access roads and rail lines) that are listed in the previous paragraph where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to stormwater. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities (including industrial facilities that are federally, state, or municipally owned or operated that meet the description of the facilities listed in this Appendix) include those facilities designated under the provisions of 40 CFR 122.26 (a)(1)(v).

B. Identify Primary Activity

A facility may need to apply for permit coverage if the primary activity at the facility is listed among the industrial SIC categories in this Appendix #1-Section C whether or not the activity is auxiliary to the owner or other operating establishment. Thus, the primary activity at the facility will be used when determining permit coverage regardless of the SIC code of the owner or parent company. For example, a distribution center for a supermarket chain could be engaged in several activities listed in Appendix #1-Section C, such as transportation or warehousing. Both the transportation and warehousing facilities may be required to apply for permit coverage regardless of their relationship to the supermarket operations.

C. Categories of Facilities Engaging in Industrial Activity

The following categories of facilities are considered to be engaging in industrial activity and are listed in 40 CFR Subpart 122.26(b)(14) of the November 16, 1990, federal regulation.

1. FACILITIES SUBJECT TO STORMWATER EFFLUENT LIMITATIONS GUIDELINES, or NEW SOURCE PERFORMANCE STANDARDS specified in 40 CFR Subchapter N, or TOXIC POLLUTANT EFFLUENT STANDARDS under 40 CFR Subchapter D (except facilities with toxic pollutant effluent standards which are exempted under category 11 below).
2. FACILITIES LISTED UNDER THE FOLLOWING STANDARD INDUSTRIAL CLASSIFICATIONS (SIC):

24xx	Lumber and Wood Products (except 2434 - Wood Kitchen Cabinets, see Category 11)
26xx	Paper and Allied Products (except 265 - Paperboard Containers; and 267 - Converted Paper and Paperboard Products, see Category 11)
28xx	Chemicals and Allied Products (except 283 - Drugs; and 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products, see Category 11)
29xx	Petroleum and Coal Products, (except 2951 - Asphalt Concrete Plants, must apply for the sand and gravel general permit)
311x	Leather Tanning and Finishing
32xx	Stone, Clay and Glass Products (except 323 - Glass Products made from purchased glass, see category 11) and (except 3273 - Ready-Mixed Concrete, must apply for the sand and gravel general permit)
33xx	Primary Metals Industries
3441	Fabricated Structural Metal
373x	Ship and Boat Building and Repairing
3. FACILITIES CLASSIFIED AS SICs 10 THROUGH 14 (mineral industry) listed below, including active or inactive mining operations [except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) Subchapter N (Coal Mining Point Source Category: BPT, BAT, BCT Limitations and New Source Performance Standards) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas on noncoal mining operations which have been released from applicable state or federal reclamation requirements after December 17, 1990] and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come in contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations. Inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction,

beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

- 10xx Metal Mining
- 12xx Coal Mining
- 13xx Oil and Gas Extraction
- 14xx Mining and Quarrying of Nonmetallic Minerals, except Fuels (except 1411 - dimension stone; 1422 - Crushed and Broken Limestone; 1423 - Crushed and Broken Granite; 1429 - Crushed and Broken Stone, Not Elsewhere Classified; 1442 - Construction Sand and Gravel; 1446 - Industrial Sand, 1445 - Kaolin and Ball Clay; 1459 - Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified; 1499 - Miscellaneous Nonmetallic Minerals, Except Fuels; must apply for the sand and gravel general permit)

4. HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES, including those operating under interim status or a permit under Subtitle C of the Resource Conservation and Recovery Act (RCRA).
5. LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS that receive or have received any industrial wastes (waste that is received from any of the facilities described in this appendix) including those subject to regulation under Subtitle D of RCRA.
6. RECYCLING FACILITIES, facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093.
7. STEAM ELECTRIC POWER GENERATING FACILITIES, including coal handling sites.
8. TRANSPORTATION FACILITIES classified under SICs below, which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations, airport deicing operations or which are otherwise identified under one of the other 11 categories of industrial activities listed in this appendix are associated with industrial activity.

- 40xx Railroad Transportation,
- 41xx Local and Interurban Passenger Transportation,
- 42xx Motor Freight Transportation and Warehousing (except 4221 Farm Product Warehousing and Storage; 4222 Refrigerated Warehousing and Storage; and 4225 General Warehousing and Storage; see Category 11),
- 43xx United States Postal Service,
- 44xx Water Transportation,
- 45xx Transportation by Air,
- 5171 Petroleum Bulk Stations and Terminals;

9. TREATMENT WORKS treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge, that are located within the confines of the facility, with a design flow of one million gallons per day or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA.

10. CONSTRUCTION ACTIVITIES are not covered under the industrial stormwater general permit.

11. FACILITIES UNDER THE FOLLOWING STANDARD INDUSTRIAL CLASSIFICATIONS:

- 20xx Food and Kindred Products
- 21xx Tobacco Products
- 22xx Textile Mill Products
- 23xx Apparel and Other Textile Products
- 2434 Wood Kitchen Cabinets
- 25xx Furniture and Fixtures
- 265x Paperboard Containers and Boxes
- 267x Converted Paper and Paperboard Products
- 27xx Printing, Publishing and Allied Industries
- 283x Drugs
- 285x Paints, Varnishes, Lacquers, Enamels, and Allied Products
- 30xx Rubber and Miscellaneous Plastic Products
- 31xx Leather and Leather Products (except 311 Leather Tanning and Finishing, see Category 2)
- 323x Glass Products Made of Purchased Glass
- 34xx Fabricated Metal Products (except 3441 Fabricated Structural Metal, see Category 2)
- 35xx Industrial and Commercial Machinery and Computer Equipment
- 36xx Electronic and Other Electrical Equipment
- 37xx Transportation Equipment (except 373 Ship and Boat Building and Repair, see Category 2)
- 38xx Measuring, Analyzing, and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks

- 39xx Miscellaneous Manufacturing Industries
- 4221 Farm Product Warehousing and Storage
- 4222 Refrigerated Warehousing and Storage
- 4225 General Warehousing and Storage

D. Facilities Subject to Stormwater Effluent Limitations Guidelines or Effluent Standards

Any part of a facility that has a stormwater discharge subject to stormwater Effluent Limitations Guidelines, or New Source Performance Standards (NSPS) Under 40 CFR Subchapter N, or Toxic Pollutant Effluent Standards under 40 CFR Subchapter D Part 129, must apply for NPDES permit coverage in an individual or industry-specific general permit for those stormwater discharges, and not for coverage under this permit.

Below is a list of categories of industries specified in 40 CFR Subchapter N for which at least one subpart includes stormwater effluent limitations guidelines, or NSPS. Industries included in this list should review the Subchapter N guidelines to determine if they are subject to a stormwater effluent limitation guideline for activities which they perform at their site.

- | | |
|-------------------------------------|--|
| 40 CFR 411 Cement manufacturing | 40 CFR 423 Steam electric power generating |
| 40 CFR 412 Feedlots | 40 CFR 434 Coal mining |
| 40 CFR 418 Fertilizer manufacturing | 40 CFR 436 Mineral mining and processing |
| 40 CFR 419 Petroleum refining | 40 CFR 440 Ore mining and dressing |
| 40 CFR 422 Phosphate manufacturing | 40 CFR 443 Paving and roofing materials (tars & asphalt) |

Below is a list of six (6) toxic pollutants which are limited by effluent standards in 40 CFR, Subchapter D, Part 129:

- | | |
|--------------------|-------------------------------------|
| a) Aldrin/Dieldrin | d) Toxaphene |
| b) DDT | e) Benzidine |
| c) Endrin | f) Polychlorinated Biphenyls (PCBs) |

APPENDIX #2 - DEFINITIONS

303(d) Listed Waters – see Waters Listed as Impaired - 303(d)

Air Emission means a release of air contaminants into the ambient air.

AKART is an acronym for “all known, available, and reasonable methods of prevention, control, and treatment.” AKART represents the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants and controlling pollution associated with a discharge.

Best Management Practices (BMPs - general definition) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. In this permit BMPs are further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

Benchmark means a pollutant concentration used by the permit as a threshold, below which a pollutant is considered unlikely to cause a water quality violation and above which it may. Benchmark values are not water quality criteria and site-specific conditions must still be considered to determine if an actual water quality violation exists.

Bypass means the diversion of waste streams from any portion of a treatment facility.

Capital Improvements means the following improvements which will require capital expenditures:

1. Treatment BMPs, including but not limited to: biofiltration systems including constructed wetlands; settling basins, oil/water separation equipment, and detention and retention basins.
2. Manufacturing modifications, including process changes for source reduction, if capital expenditures for such modifications are incurred.
3. Concrete pads and dikes and appropriate pumping for collection of stormwater and transfer to control systems, from manufacturing areas such as loading, unloading, outside processing, fueling and storage of chemicals, equipment, and wastes.
4. Roofs and appropriate covers for manufacturing areas.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Combined Sewer means a sewer which has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

Constructed Wetland means wetlands intentionally created, on sites that are not natural wetlands, for the primary purpose of wastewater or stormwater treatment and managed as such. Constructed wetlands are normally considered as part of the stormwater collection and treatment system.

Construction Activity means clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, industrial buildings, and demolition activity.

Design Storm means the precipitation event that is used to design stormwater facilities. Refer to Ecology's Stormwater Management Manual for specific information on requirements for determining design storm volume and flow rate appropriate for designing stormwater treatment systems.

Design Storm Volume means the volume of runoff predicted to occur from a specified storm event. The storm event includes a time interval (e.g. 24-hours) and frequency (e.g. 6-month). Volume-based treatment BMPs use the design storm volume as their design basis. Refer to the Ecology Stormwater Management Manual for storm event and additional information.

Design Flow Rate means the flow rate at or below which a specified amount of the runoff volume will be treated. Flow rate-based treatment BMPs use the design flow rate (e.g. as estimated using an approved continuous runoff model) as their design basis. Refer to the Ecology Stormwater Management Manual to determine the appropriate flow rate and for additional information.

Detention means the temporary storage of stormwater to improve quality and/or to reduce the mass flow rate of discharge.

Director means the Director of the Washington Department of Ecology or his/her authorized representative.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Domestic Wastewater means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration or surface waters as may be present.

Ecology means the Washington State Department of Ecology.

Equivalent BMPs means operational, source control, treatment, or innovative BMPs which result in equal or better quality of stormwater discharge to surface water or to ground water than BMPs selected from the SWMM.

Equivalent Stormwater Management Manual means a manual that has been determined by Ecology as being equivalent to the SWMM.

Erosion means the wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep.

Erosion and Sediment Control BMPs means BMPs that are intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds. Erosion and sediment control BMPs are synonymous with stabilization and structural BMPs.

Erosion and Sediment Control Plan means a document which describes the potential for erosion and sedimentation problems, and explains and illustrates the measures which are to be taken to control those problems.

Existing Facility means a facility that was in operation prior to the effective date of this permit. It also includes any facility in that is not categorically included for coverage but is in operation when identified by Ecology as a significant contributor of pollutants.

Final Stabilization means the completion of all soil disturbing activities at the site and the establishment of a permanent vegetative cover, or equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) which will prevent erosion.

"40 CFR" means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Ground Water means water in a saturated zone or stratum beneath the land surface or a surface water body.

Illicit Discharge means any discharge that is not composed entirely of stormwater except discharges pursuant to a separate NPDES permit and discharges resulting from fire fighting activities.

Inactive Site means a facility which no longer engages in business, production, providing services, or any auxiliary operation.

Industrial Activity - See Appendix #1-Section A.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application site, surface impoundment, injection well, or waste pile.

Land Application Site means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Leachate means water or other liquid that has percolated through raw material, product or waste and contains substances in solution or suspension as a result of the contact with these materials.

Listed Waters – see Waters Listed as Impaired - 303(d)

Local Government means any county, city, or town having its own government for local affairs.

Municipality means a political unit such as a city, town or county; incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

New Facility means a facility that begins activities that result in a discharge or a potential discharge to waters of the state on or after the effective date of this general permit.

Noncontact Cooling Water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Notice of Intent (NOI) means the application for, or a request for coverage under this *General Permit* pursuant to WAC 173-226-200.

Notice of Termination (NOT) means a request for termination of coverage under this general permit as specified by Special Condition S11 of this permit.

Operational BMPs means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the state. Not included are BMPs that require construction of pollution control devices.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure and container from which pollutants are or may be discharged to surface waters of the state. This term does not include return flows from irrigated agriculture. (See Fact Sheet for further explanation.)

Pollutant means the discharge of any of the following to waters of the state: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, domestic sewage sludge (biosolids), munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the state; including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare; or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wild animals, birds, fish or other aquatic life.

Primary Activity means the activity at an industrial facility in which the facility is primarily engaged, such as principal product or group of products produced or distributed, or services rendered. The primary extent of the activity may be determined based on revenues, production rate, or number of employees.

Process Wastewater means any water which, during manufacturing or processing, comes into direct contact or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Puget Sound Basin means the Puget Sound south of Admiralty Inlet (including Hood Canal and Saratoga Passage); the waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border; and all the lands draining into these waters as mapped in Water Resources Inventory Areas numbers 1 through 19, set forth in WAC 173-500-040.

Regular Business Hours means those time frames when the facility is engaged in its primary production process, but does not include additional shifts or weekends when partial staffing is at the site primarily for maintenance and incidental production activities. Regular business hours do not include periods of time that the facility is inactive and unstaffed.

Sanitary Sewer means a sewer which is designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits, and is transported by, suspended in, or deposited by water.

Sedimentation means the depositing or formation of sediment.

SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant Amount means an amount of a pollutant in a discharge that is amenable to available and reasonable methods of prevention or treatment; or an amount of a pollutant that has a reasonable potential to cause a violation of surface or ground water quality or sediment management standards.

Significant Contributor of Pollutant(s) means a facility determined by Ecology to be a contributor of a significant amount(s) of a pollutant(s) to waters of the state of Washington.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

Site means the land or water area where any "facility or activity" is physically located or conducted.

Source Control BMPs means physical, structural or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, constructing roofs over storage and working areas, and directing wash water and similar discharges to the sanitary sewer or a dead end sump.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

Stabilization means the application of appropriate BMPs to prevent the erosion of soils, such as, temporary and permanent seeding, vegetative covers, mulching and matting, plastic covering and sodding. See also the definition of Erosion and Sediment Control BMPs.

Storm Sewer means a sewer that is designed to carry stormwater. Also called a storm drain.

Stormwater means rainfall and snow melt runoff.

Stormwater Discharge Associated with Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant (see 40 CFR

122(b)(14). It may also, on a case-by-case basis, include stormwater from any portion of an industrial site subject to pollutants of a significant amount.

Stormwater Drainage System means constructed and natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate or divert stormwater.

Stormwater Management Manual (SWMM) or Manual means the technical manual prepared by Ecology for stormwater management. For BMPs implemented prior to February 2001 it is the Stormwater Management Manual for the Puget Sound Basin published in 1992. For all facilities west of the crest of the Cascade Mountains as of February 1, 2002, it is the Stormwater Management Manual for Western Washington. For facilities east of the crest of the Cascade Mountains it will be the Stormwater management Manual for Eastern Washington when it becomes available. It also applies to any future revision of the technical manual as they become available.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

Surface Waters of the State includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

Treatment BMPs means BMPs that are intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, media filtration, and constructed wetlands.

Uncontrolled Sanitary Landfill means a landfill or open dump, whether in operation or closed, that does not meet the requirements for runoff and runoff controls established pursuant to subtitle D of the Solid Waste Disposal Act.

USEPA means the United States Environmental Protection Agency.

Water Quality means the chemical, physical, and biological characteristics of water, usually with respect to its suitability for a particular purpose.

Waters Listed as Impaired - 303(d) means the specific segment or grid of a waterbody that was listed by the State as required under Section 303(d) of the Clean Water Act. The most current list of impaired waters is the applicable list.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW which include lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the state of Washington.

APPENDIX 3 - ACRONYMS

BMP	Best Management Practice
CAS	Chemical Abstract Service
CERCLA	Comprehensive Environmental Response Compensation & Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
EPA	Environmental Protection Agency
ESC	Erosion and Sediment Control
FWPCA	Federal Water Pollution Control Act
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
RCRA	Resource Conservation and Recovery Act
RCW	Revised Code of Washington
SARA	Superfund Amendment and Reauthorization Act
SEPA	State Environmental Policy Act
SIC	Standard Industrial Classification
SMCRA	Surface Mining Control and Reclamation Act
SWMM	Stormwater Management Manual for the Puget Sound Basin
SWPPP	Stormwater Pollution Prevention Plan
USC	United States Code
USEPA	United States Environmental Protection Agency
WAC	Washington Administrative Code
WQ	Water Quality